United Nations A/56/938

General Assembly

Distr.: General
10 May 2002

Original: English

Fifty-sixth session
Agenda item 158
Financing of the United Nations Organization Mission in the Democratic Republic of the Congo

Progress report on the status of the airfield services contract for the United Nations Organization Mission in the Democratic Republic of the Congo

Report of the Secretary-General*

Summary

The present progress report provides the status of the airfield services contract for the United Nations Organization Mission in the Democratic Republic of the Congo.

* This is a progress report.

02-36880 (E) 160502

I. Introduction

1. In its resolution 56/252 B of 27 March 2002, the General Assembly endorsed the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions on the proposed budget of the United Nations Organization Mission in the Democratic Republic of the Congo (A/56/845) and requested the Secretary-General to ensure their implementation. The Assembly also requested the Secretary-General to take into consideration the concerns and options referred to in paragraph 99 of the report and to submit a progress report to the Assembly for its consideration during the second part of its resumed fifty-sixth session.

2. In paragraph 99 of its report, the Advisory Committee provided two options for consideration: the airfield services contract should be resubmitted for tender at the end of the first year (by 30 June 2002); or a series of contracts should be awarded to more than one provider.

II. Management review

3. The Secretariat, in collaboration with the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), examined the feasibility of immediately resubmitting the contract for tender or reassigning the services to a number of providers. To this end, the following options for the provision of the required services were identified:

(a) Use a specialized military unit or units;

(b) Employ the services of international and national United Nations personnel;

(c) Resubmit the contract for tender either as one comprehensive contract or as a series of contracts meeting specific requirements through international and local bidding;

(d) A combination of the above.

4. The selection of any of the foregoing options implies carrying out a comprehensive assessment of the airfield services required by MONUC. The Secretariat is currently finalizing this assessment. Should it lead to selection of the option to outsource the provision of all or part of the required services, rewriting of and issuing the request for proposal and preparation of contractual documents must follow. This process would include site visits by potential contractors, an effective evaluation of proposals from both local and international contractors and preparation of a comprehensive business case analysis to ensure the selection of the best option. The final steps in this process would include contract negotiation, award of contract and mobilization of the contractor's resources.

5. In the past, the aforementioned tasks have taken six to eight months to complete when complex service contracts were established. The time frame to identify, prepare and deploy specialized military units or to recruit a qualified team of United Nations staff to perform such specialized functions has historically not been much shorter. Irrespective of the option selected, the major prerequisite to resubmit the contract for tender or reassign the services to a number of providers cannot be accomplished before the expiration of the current contract on 30 June 2002.

6. In the Secretariat's assessment, the provision of airfield services is essential for MONUC success at this time, when the operation has entered a crucial phase of expansion in support of consolidating peace trends in the area of its deployment. The Secretariat is convinced that the current contract should be extended for a period of six months to allow time for the comprehensive examination of potential options.

III. Action plan

7. To implement the recommendations of the Advisory Committee, the Secretariat convened a working group tasked with the development of a detailed action plan and its expeditious implementation. Its terms of reference include the development of a comprehensive business case analysis, leading to the selection of the option best suited to the Organization's needs. Since the establishment of the working group at the end of March 2002, a detailed action plan with clear time lines has been established.

8. The following paragraphs provide an explanation of the major tasks to be accomplished in order to implement the recommendations of the Advisory Committee. They provide a status report on the progress made by end of April 2002 in the implementation of these tasks and lay out the next steps to be performed and the associated time lines:

(a) **Reassessment of the support requirements in MONUC**. The Secretariat is completing a comprehensive reassessment of all requirements related to the provision of airfield services to MONUC. This reassessment incorporates the Standards for Aviation Operations in Peacekeeping Missions, which are being finalized by the Department of Peacekeeping Operations. A cross-functional team has been established in the Mission. It has been directed to submit a redefined statement of work as early as possible, but no later than 3 June 2002;

(b) **Completion of a business case analysis of the options**. Taking into consideration the requirements of the General Assembly on outsourcing (see A/53/818 and A/55/301), the Secretariat has concurrently commenced an in-depth business case analysis to compare in a transparent and equitable manner the potential benefits, risks and costs of the options identified above. The aim is to select the most cost effective and acceptable alternative to meet the requirements. This analysis will be completed by 15 June 2002;

(c) **Arrangement of an external consultancy**. In line with the recommendations of the Office of Internal Oversight Services, the Secretariat has requested the International Civil Aviation Organization to provide consultancy services that will ensure the transparency and impartiality of the review of the MONUC airfield services requirements, of the business case analysis and of the evaluation of the eventual proposals. The consultancy services are expected to be available by the end of May 2002;

(d) **Implementation of the selected option**. No matter which option is selected, a similar process will be followed to effect the transition from the current service supplier to the new arrangement. This step will involve the recruitment and deployment of personnel and equipment. The new arrangement will not be considered in place until the selected provider(s) is (are) capable of rendering the required services to the level and quality needed;

(e) **Negotiation with the current contractor to extend the contract**. In light of the foregoing, the Secretariat intends formally to initiate negotiations to extend the current contract for a period of six months in order to make possible a seamless transition to the new arrangement.

IV. Conclusion

9. **The Secretariat has commenced the process required to resubmit the contract for tender or to put other support arrangements in place for the provision of airfield services to MONUC. The proposed schedule to complete this process by the end of this year is extremely tight but attainable.**

United Nations A/56/939

General Assembly

Distr.: General
7 May 2002

Original: English

Fifty-sixth session
Agenda item 133
Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations

Reform of the procedure for determining reimbursement to Member States for contingent-owned equipment

Report of the Secretary-General*

Summary

In paragraph 12 of its resolution 55/271 of 14 June 2001, the General Assembly requested the Secretary-General to address the need for streamlining the contingent-owned equipment procedures and to submit proposals for relevant remedial measures to the Assembly at its fifty-sixth session. The Assembly further requested that the report include information on memorandums of understanding and claims processing.

It is the responsibility of the United Nations, together with the troop contributors, to ensure that peacekeeping missions are provided with the personnel, equipment and services, as specified in the respective memorandum of understanding, required to fulfil its mandate, and that the contingents perform according to established standards. The contingent-owned equipment methodology is the mechanism by which this is achieved. The Secretariat's views on the overall contingent-owned equipment methodology and its proposals for improving the effectiveness and efficiency of the system in certain critical and key areas are set out in the present report. The Secretariat's interest is to improve the system and its ability to manage the process on the whole, particularly concerning the processing of claims. The proposals and suggestions contained in the report relate to the areas of memorandum of understanding negotiations, pre-deployment visits, verification and control and claims processing, and are based on six years of continuous experience within various missions, including those in the start-up, expansion and draw-down phases. It is the Secretariat's view that the contingent-owned equipment system is working well and that the early conclusion and signature of the memorandum of understanding is paramount to ensure the efficiency of the system as well as timely reimbursement.

* The document was submitted late to the conference services without the explanation required under paragraph 8 of General Assembly resolution 53/208 B, by which the Assembly decided that, if a report is submitted late, the reason should be included in a footnote to the document.

02-37414 (E) 160502

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I. Background

1. By its resolution 50/222 of 11 April 1996, the General Assembly reformed the procedures for determining the reimbursement to Member States for contingent-owned equipment. The contingent-owned equipment methodology has been applied as from 1 July 1996 to 227 contingent units, deployed in 13 peacekeeping operations. The Secretariat believes that the contingent-owned equipment methodology is proving itself to be workable in a majority of the peacekeeping operations for most troop contributors and is a significant improvement over the old methodology. The improvement can be seen in several areas. First, the old methodology required the analysis of hundreds of pages of in and out surveys of inventory per unit, whereas the documentation for the current methodology is the memorandum of understanding: annex A, personnel; annex B, major equipment; and annex C, self-sustainment. This has reduced the time required for a critical analysis of contingent-owned equipment claims. Second, as the major equipment and self-sustainment provisions are negotiated in advance and are known to all concerned, the efficiency of verification and claims processing has also improved. Third, as the majority of the troop contributors are self-sustaining, the contingent-owned equipment methodology has reduced the support services provided by peacekeeping operations to contingent units, and hence reduced the number of mission personnel required, for example, in vehicle maintenance. Fourth, the elimination of letters of assist for routine maintenance, repair and replenishment of spare parts removed one of the previous system's greatest sources of delay in promptly reimbursing troop contributors. Finally, the system allows for tighter financial and managerial control for both the Secretariat and the troop contributors, as the memorandum of understanding is agreed upon in the beginning rather than as a claim negotiated at the end of the mission under the old system.

II. Current arrangements

2. The life cycle of the contingent-owned equipment methodology typically begins upon the approval by the Security Council of a new peacekeeping operation or the expansion of an existing one, whereupon the Secretariat sends a note verbale to potential troop contributors inviting them to participate in a peacekeeping operation. (A schematic diagram of the workflow of the memorandum of understanding negotiation process is attached as annex I.) Based on their replies, the Secretariat determines which troop contributors would be most appropriate for the mission. Informal consultations between the Secretariat and troop contributors may commence prior to a Security Council resolution. The Secretariat initiates negotiations on a draft memorandum of understanding with the permanent mission and/or a delegation of the troop contributor.

3. After a draft memorandum of understanding has been agreed upon by both parties, the Secretariat may be invited to send a pre-deployment visit team to the troop contributor's country. The team would review whether the troop contributor's major equipment met the operational requirements of that mission and whether the minor equipment and consumables enabled the troop contributor to be self-sustaining in all categories. Following its confirmation by the troop contributor, a final draft memorandum of understanding is forwarded to the relevant permanent mission for approval. After any requested changes are made, the memorandum of understanding is sent to the permanent mission for signature. The mission in turn forwards the memorandum of understanding to its capital for approval.

4. The field mission issues an arrival and inspection report on the units and/or equipment deployed and monthly or periodic verification reports thereafter. After a thorough review of the verification reports in conjunction with the signed memorandum of understanding reimbursements are certified on the basis of the actual quantities of major equipment provided and the self-sustainment categories meeting the operational standards in-theatre. Once certified, a claim is paid when funds become available.

III. Remedial proposals to streamline the contingent-owned equipment processes

5. The new contingent-owned equipment methodology has been fully implemented in the United Nations Mission in Sierra Leone (UNAMSIL), United Nations Transitional Administration in East Timor (UNTAET), United Nations Mission in Ethiopia and

Eritrea (UNMEE), United Nations Interim Administration Mission in Kosovo (UNMIK), United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), and is being partially utilized in the other missions. The Secretariat is of the opinion that improving the methodology in the following four major areas could increase the overall efficiency, effectiveness and success of the contingent-owned equipment system:

(a) Memorandums of understanding;

(b) Pre-deployment visits;

(c) Verification of contingent-owned equipment;

(d) Claims processing.

The present report addresses each of these areas separately, providing a brief understanding of the issues encountered, followed by the Secretariat's proposals aimed at improving the overall system.

A. Memorandum of understanding

6. The memorandum of understanding is a document negotiated and signed by both parties that details the personnel, major equipment and self-sustainment being provided to a particular mission by a troop contributor and also shows the self-sustainment support to be provided by the United Nations. The memorandum of understanding contains the particulars and quantity of each item and/or self-sustainment category being brought to the mission and the applicable reimbursements amount. The Secretariat's aim prior to the negotiations of the memorandum of understanding is to have a clear statement of requirements that have been discussed in detail and understood by all concerned, and to ensure that areas of divergent opinion (e.g. the quantity of an item required by the mission) have been aired and the options and alternatives are addressed by the Secretariat. Ideally, the memorandum of understanding is signed in advance of the deployment of equipment and/or troops so that new or expanding missions can be planned and implemented in a smooth and seamless manner, providing maximum capability to the mission operations. Notwithstanding the above, the Secretariat continues to note delays in the approval and signing of the final draft memorandum of understanding. The main causes of the delay and proposals for how to resolve them are outlined below.

Delays in obtaining the major equipment and/or self-sustainment position from troop contributors

7. As a first step in the memorandum of understanding process, the Secretariat prepares a draft memorandum of understanding based on both the informal discussions held between the Secretariat and the troop contributor and the standards set out in the 1998 tables of organization and equipment of the standby arrangements. The draft memorandum of understanding is sent to the troop contributor for review. An initial delay is often experienced at this point, as the Secretariat waits for receipt of the position of the troop contributor with regard to its ability to provide major equipment and self-sustainment as proposed in the draft memorandum of understanding. This then delays the Secretariat's ability to make alternative arrangements if required and to move forward with the negotiation of the memorandum of understanding.

8. In order to address issues related to the delay in obtaining the troop contributor's position, the Secretariat is simultaneously pursuing several ideas. As a general rule, the Secretariat is increasingly conducting more informal discussions with troop contributors as to their ability and willingness to provide equipment and/or self-sustainment. It is hoped that through these improved informal pre-negotiation discussions, much of the divergence between a draft memorandum of understanding prepared in accordance with the standards and the ability and/or willingness of a troop contributor to provide major equipment and/or self-sustainment can be bridged quickly and with more clarity. Another idea being implemented is to provide training to staff of the permanent missions concerning memorandum of understanding negotiations and the contingent-owned equipment methodology, thereby improving the understanding of how the system works. Still another idea being explored by the Secretariat is the possibility of signing generic memorandums of understanding for contingent units under the standby arrangements for future deployment. The Secretariat is currently evaluating the capacity of Member States contributing units under the standby arrangements and matching this capacity to the needs of United Nations peacekeeping operations. This approach may facilitate

the process of negotiating memorandums of understanding with Member States under the standby arrangements when and if the Member States agree to deploy to new or expanding peacekeeping operations.

"Special case" major equipment

9. A "special case" reimbursement rate for major equipment arises when a peacekeeping operation requires an item of major equipment that is either not listed as a category in the Contingent-owned Equipment Manual or is an item considered by the troop contributor to be significantly more than the "standard equipment" (as set out in chapter 8 of the Contingent-owned Equipment Manual). As a first step to determining the reimbursement for the special case, the Secretariat seeks additional information and specifications from the troop contributor concerning the item. It has been noted that this essential information often takes considerable time to be submitted. In addition, the Secretariat often has to do research to arrive at a generic fair market value and dry lease and maintenance rates. Sometimes the generic fair market value and/or the monthly maintenance rate requested by the troop contributor is considered high compared to what is available on the market, thus requiring further investigation and negotiation with the troop contributor.

10. While there is indeed special equipment required in certain missions, the Secretariat has noted repeated requests for certain items to be treated as special cases. To reduce the delays noted in paragraph 9 above and to facilitate the signing of the memorandums of understanding on a timely basis, the Secretariat would like to recommend that when a special case reimbursement rate is repeatedly required for major equipment, for example, if the item has been utilized in peacekeeping operations by two or more troop contributors, the item be submitted to the next Working Group on Reimbursement of Contingent-owned Equipment for its review and determination of a standard dry/wet lease reimbursement rate. The inclusion of such items as standard equipment and their listing in the Contingent-owned Equipment Manual should greatly reduce the processing time required for the finalization of memorandums of understanding.

Substantive change in the text of the memorandum of understanding requested by the troop contributor

11. Different troop contributors have special requirements or legal/constitutional constraints that need to be included in the final memorandum of understanding. The Phase IV Working Group on Reimbursement of Contingent-owned Equipment noted that, while the substantive elements of the model memorandum of understanding remained consistent for all Member States, the final form of the document could vary when the United Nations negotiates contingent-owned equipment arrangements with the troop contributors so as to ensure the smooth and rapid provision of contingent-owned equipment (A/C.5/52/39, para. 65 (c)). All but certain minor changes in the memorandum of understanding require clearance by the Office of Legal Affairs, and often these changes require further exchange of correspondence between lawyers of the United Nations and those of the troop contributor.

12. While the Secretariat understands the individual needs of different troop contributors, it would like to stress that making significant changes in the model memorandum of understanding introduces significant delays in the finalization of the draft memorandum of understanding. The Secretariat would therefore like to recommend that the model memorandum of understanding document recommended by the Secretary-General (A/51/967 and Corr.1 and 2, annex) be approved by the General Assembly to facilitate the memorandum of understanding process and thereby reduce delays caused by language changes requested by troop contributors.

Approval and signature of the memorandum of understanding

13. Finally, the Secretariat has noted that there is a significant delay in receiving the approval of and the final signature on the memorandum of understanding by troop contributors as a result of their national governmental process. In the absence of a signed memorandum of understanding, the Secretariat is not in a position to certify claims for payment.

14. The intent of the contingent-owned equipment system is to have the memorandum of understanding signed by the troop contributor and the United Nations prior to deployment. The Secretariat would like to

emphasize that the foundation of effective management of the contingent-owned equipment methodology rests with the timely and comprehensive implementation of memorandums of understanding. It is a requirement that these agreements be reached prior to the deployment of formed military units to facilitate the work of the Secretariat and to provide the framework for mission support. Statistics show that as at 30 April 2002, a total of 214 memorandums of understanding had been signed, of which only 8 (approximately 4 per cent) had been signed prior to the deployment of the major equipment and/or self-sustainment items in the field. As a result of intense efforts on the part of the Secretariat during the past six months to finalize and obtain signed memorandums of understanding, as at the end of April 2002 there were 24 memorandums of understanding under negotiation, and only 5 were pending signature by a troop contributor (see annex II).

B. Pre-deployment visit

15. The pre-deployment visit gathers experts from the Secretariat and/or the field missions who together go to the troop-contributing country to assess the unit's operational capability and assist the troop contributor to make adjustments, thereby allowing the Secretariat to make alternative arrangements if required. In the past two years there have been a total of 22 pre-deployment visits to various countries providing equipment and/or self-sustainment to the following missions: MONUC, UNAMSIL, UNMEE, UNMIK, UNTAET and the United Nations Interim Force in Lebanon (UNIFIL). Based on these experiences, the Secretariat believes that the pre-deployment visit is a crucial component of the contingent-owned equipment methodology. The majority of pre-deployment visits resulted in a change in the draft memorandum of understanding (e.g. categorization of equipment) to reflect the troop contributor's capabilities, thus reducing shortfalls in the field missions and enhancing the operational capability of those missions. Experience gained in certain missions (e.g. UNAMSIL) is that without pre-deployment visits, negotiated and signed memorandums of understanding could differ significantly from the reality of what was actually deployed. In addition, the pre-deployment team answers queries of the troop contributors in their home country on logistical and financial support concerning the implementation of the contingent-owned equipment methodology.

16. In order to further optimize these visits, new standard operating procedures for them are under review. The Secretariat requests that troop contributors be willing to accept these pre-deployment visits. In particular, the Secretariat would like to recommend that troop contributors contributing to a peacekeeping operation for the first time under the contingent-owned equipment methodology and/or with first-time deployment of a particular type of unit be required to receive a pre-deployment team's visit.

C. Verification of contingent-owned equipment

Verification reports

17. The overall aim of the verification and control procedures of the contingent-owned equipment methodology is to ensure that both parties — the troop contributors and the United Nations — meet the terms of the memorandum of understanding. Reimbursement for contingent-owned equipment is dependent upon the verification that the materials and services provided in the field meet the undertakings of the troop contributors in its memorandum of understanding. The verification process centres on a series of inspections conducted jointly by mission and contingent personnel. Each inspection produces a verification report and confirms the verification and control process during the various stages of the life cycle of a mission. The reports note where the major equipment and self-sustainment in the field differ from the standards defined in the Contingent-owned Equipment Manual and agreed upon in the memorandum of understanding. In addition, the verification reports note the operational readiness of equipment in the mission. The receipt of a verification report, along with a signed memorandum of understanding, thus enables the Secretariat to process a reimbursement for major equipment and/or self-sustainment.

18. Both the production and the processing of these reports have generally proven to be time-consuming, labour-intensive, often inconsistent between missions and usually very late. The Secretariat believes that further gains in efficiency in the contingent-owned equipment process can be made specifically as concerns the verification reports themselves. The first area being analysed for improvement is the frequency of reporting requirements, with an aim to realize a qualitative balance between the requirements for

frequent reporting and the resources necessary to obtain them. The second area concerns the manner of reporting. The Secretariat wishes to examine the issues, both functionally and technically, of using electronic reporting and/or electronic signatures, which would improve the timeliness and receipt of processing over paper-based reports while also enforcing a standard format. Finally, the Secretariat is considering possible improvements in the model verification report, perhaps by evolving towards exception reporting and/or by developing or adapting a quarterly operational readiness report. The Secretariat aims to simplify the reports to make them more efficient, reliable, useful and timely.

Verification standards

19. The contingent-owned equipment verification standards have been established by the various working groups on reimbursement of contingent-owned equipment and are contained in the Contingent-owned Equipment Manual. An updated version of the Contingent-owned Equipment Manual containing all recommendations approved by the General Assembly has been finalized, and an electronic version is available. Verification worksheets on major equipment and each category of self-sustainment are included in appendix I to the Manual to ensure a consistent implementation of the approved standards in all peacekeeping operations.

20. In addition, the Secretariat has initiated a contingent-owned equipment database in Lotus Notes. The pilot project has enabled Headquarters and the field offices to view the memorandum of understanding and verification reports of contingent units in UNTAET (as at March 2000) and in UNMEE (as at May 2001). Based on the success of the pilot projects, the Secretariat will now complete the roll-out of the system in July 2002 to MONUC, UNAMSIL, UNMIK, UNIFIL, the United Nations Disengagement Observer Force (UNDOF) and the United Nations Iraq-Kuwait Observation Mission (UNIKOM), and in November/December 2002 to all other missions. Once this database has been deployed to all missions, future verification reports will be online rather than on paper. This will facilitate the contingent-owned equipment verification process, as mentioned in paragraph 18 above.

Training

21. As a means of tackling the at times inconsistent production of verification reports, the Secretariat has dispatched ad hoc training teams on contingent-owned equipment verification to the new peacekeeping operations. The training provided a better understanding to the staff of how to create and produce verification reports and how the report is thereafter processed by Headquarters and the importance of their role in the efficient processing of claims. The training will be repeated on a future date for newly recruited staff. Additionally, a contingent-owned equipment inspection conference (originally scheduled for September 2001) has been rescheduled for June 2002. Teams of one or two contingent-owned equipment personnel from each mission, in addition to five or six Headquarter staff who are extremely knowledgeable in all aspects of verification and control, will convene to discuss various aspects of the contingent-owned equipment inspection process, review problems encountered in the verification and control processes, propose possible solutions and further enhance and standardize the verification procedures for all missions. The results of the conference will be used to introduce new streamlined policies and procedures, based on the lessons learned, and to adapt and update the training materials and standard operating procedures.

Shortfalls in major equipment

22. The quantity and exact type of major equipment being brought to the mission is discussed and approved via the memorandum of understanding. In accordance with the signed memorandum of understanding, the troop contributor is then reimbursed under dry- or wet-lease arrangements for those items that are operationally serviceable and agreed to. The Secretariat has noted many instances in which equipment was inconsistent with the signed memorandum of understanding or lacked the operational capability to meet the mandate of the peacekeeping operation. The Secretariat believes that had pre-deployment visits occurred, the number of inconsistencies between the memorandum of understanding and actual equipment deployed would be reduced.

Shortfalls in self-sustainment

23. Self-sustainment is defined as logistical support for contingents in a peacekeeping mission area whereby the troop contributor provides some or all

categories of logistical support to the contingent on a reimbursable basis. In its report of 7 April 1995, the Phase II Working Group on Reimbursement of Contingent-owned Equipment stated that reimbursement for self-sufficiency would be modular in nature based on troop strength (A/C.5/49/66, paras. 26 (e) and 27). Each module (category or subcategory) is considered as a complete package, and reimbursement rates are indivisible. In certain missions, the Secretariat has noted that troop contributors did not bring minor equipment and consumables sufficient for self-sustainment in accordance with the standards set out in the Contingent-owned Equipment Manual, requiring the mission to procure it. In instances where troop contributors have requested assistance from the United Nations on self-sustainment categories or modules, the Secretariat will not reimburse troop contributors for these categories. In addition, and in order to improve the efficiency of the verification reports, the Secretariat will amend the memorandum of understanding to reflect the true self-sustainment capability of the troop contributors in a mission (see A/C.5/49/70, annex, appendix III, para. 6).

24. Although the primary goal of the contingent-owned equipment methodology is for the troop contributor to be fully self-sustaining in all categories and subcategories, past experience has shown that this may not always be possible or efficient. Similar to what had been agreed upon by the post-Phase V Working Group (e.g. night observation and field defence functions; see A/C.5/55/39, paras. 64, 65 (h), (k) and (n), and 66), the Secretariat is evaluating the feasibility of the United Nations providing certain other categories or subcategories, such as tentage and accommodation, at the start of a mission. This provides the Secretariat with an ability to ensure a consistent and standard level of self-sustainment, while also enjoying economies of scale. Moreover, experience has shown that the ability to be flexible in terms of which categories and subcategories can or should be provided and by whom allows for a more efficient overall operational capability, while also taking advantage of economies of scale.

Self-sustainment standards

25. The standards of verification and control inspection and reporting for self-sustainment that a troop contributor provides to a mission are explained in annex B to chapter 3 of the Contingent-owned Equipment Manual. Based on experience to date, the Secretariat believes that the minimum standards of certain self-sustainment categories in the Manual, such as those for the electrical and observation categories, may be too generic to ensure consistent application and verification in field missions. This may have a significant impact on the morale of the troops and on the operations of the mission. The Secretariat intends to analyse these aspects further with the aim of improving the overall efficiency of operational capability in the missions.

Transportation for resupply of consumables

26. The Contingent-owned Equipment Manual (based on A/C.5/49/70, annex, para. 46) states that no separate reimbursement for transportation of spare parts, minor equipment and consumables should be provided, as the self-sustainment rates already include a transportation factor. However, the Secretariat has noted an increased number of requests from troop contributors to assist with the resupply of spare parts and consumables. Where feasible, and when the resupply of consumables coincides with the rotation of troops, space exists in a chartered aircraft and there is no additional cost to the United Nations, the Secretariat has allowed the shipment of such consumables. Where these specific circumstances do not exist, the troop contributors should be responsible for the resupply and make their own arrangements for shipments.

D. Claims processing

27. Claims processing is the culmination of the contingent-owned equipment methodology and is wholly dependent on the timeliness of the processes noted and discussed above, namely the memorandum of understanding negotiation phase and the receipt, accuracy and timeliness of verification reports. Taking note of the life cycle of claims processing and in view of the concerns raised by Member States with regard to the timeliness of reimbursement for contingent-owned equipment, a review is now in progress aimed at identifying ways of streamlining the entire process. Some of these ideas are discussed in the present report, chief among them improvements to the efficiency and effectiveness of the memorandum of understanding negotiations, the critical nature of pre-deployment visits and, finally, enhancements and changes in the

verification and control processes. Notwithstanding these changes to the actual methodology and procedures, the Secretariat also feels that improvements and particularly gains in efficiency are possible through changes in resource management. As a first step, the Secretariat sought additional staffing to increase its capacity to effectively manage the heavy volume of work.

28. As a second step, the Claims and Information Management Section of the Department of Peacekeeping Operations has reorganized in line with the geographical regions found within the Department: Africa, Asia and the Middle East and Europe and Latin America. These regional teams consist of two to six claims staff each (depending on the contingent-owned equipment-related activity in the region), and experience of the past six months has shown that the regional teams have greatly increased the efficiency, timeliness and accuracy of claims processing. The team deals with all claims (contingent-owned equipment, death and disability and letters of assist), issues and concerns that occur within a region. This aspect provides the claims staff with an increased overview, understanding and ability to manage priorities and deal effectively (and proactively) with claims and their reimbursement. The creation of teams has also provided an additional capability to immediately deal with the development of peacekeeping operations as they move through the life cycle of a mission, allowing resources to be shifted and managed on the basis of the changing priorities in the field. Finally, the concept of regional teams provides management with the ability to better manage the work flow of claims processing and to set and achieve targets while balancing the ever-critical demands between the negotiation of memorandums of understanding and the processing claims.

29. As a third step, the Secretariat is placing emphasis on the training of staff in contingent-owned equipment methodology and processing. Internal training is being conducted in each of the functional areas to ensure a more consistent application of rules and procedures. The Secretariat is developing three levels of presentation and training material for senior managers, contingent-owned equipment and memorandum of understanding management staff, and contingents upon arrival in the mission area. Once completed, this material will be reviewed at Headquarters for wider applicability and dissemination. Likewise, the Secretariat is reviewing the existing standard policies and procedures and is updating the standard operating procedures with a view to further improving the claims process in all its aspects.

IV. Action to be taken by the General Assembly

30. It is recommended that the General Assembly approve a model memorandum of understanding to facilitate the negotiation process.

V. Suggested recommendations of the General Assembly to troop contributors

31. It is recommended that the General Assembly request troop contributors to consider:

(a) Once a "special case" major equipment reimbursement rate has been utilized by two or more troop contributors, requesting the next Working Group on Reimbursement of contingent-owned equipment to review the equipment and recommend a generic fair market value and a dry/wet lease rate for it;

(b) Approving final draft memorandums of understanding and signing them as soon as possible to allow the Secretariat to process claims for reimbursement;

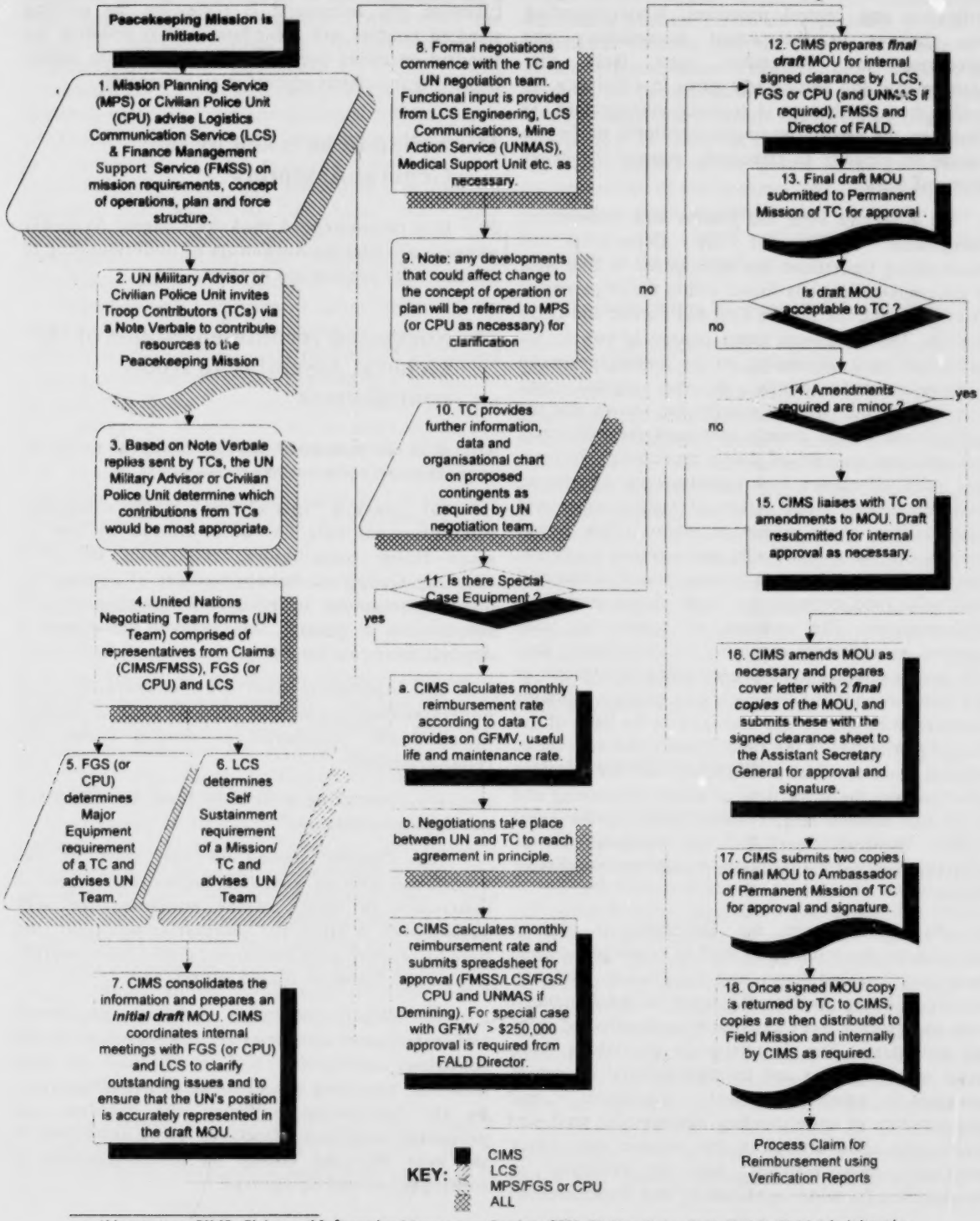
(c) Accepting a visit to their country by a pre-deployment team;

(d) Clearly stating at the start of the negotiation process any deficiencies they expect to experience in either major equipment or self-sustainment to allow the Secretariat sufficient lead time to procure such resources, either from another troop contributor or from a contractor;

(e) Where minimum standards of certain self-sustainment categories are too generic to ensure consistent application and verification in field missions, accepting the drafting of working papers by the Secretariat outlining the problem and proposing minimum standards to be submitted to the next Working Group on Reimbursement of contingent-owned equipment.

Annex I

Flow chart of the process of negotiation and approval of memorandums of understanding[a]


Peacekeeping Mission is initiated.
1. Mission Planning Service (MPS) or Civilian Police Unit (CPU) advise Logistics Communication Service (LCS) & Finance Management Support Service (FMSS) on mission requirements, concept of operations, plan and force structure.
2. UN Military Advisor or Civilian Police Unit invites Troop Contributors (TCs) via a Note Verbale to contribute resources to the Peacekeeping Mission
3. Based on Note Verbale replies sent by TCs, the UN Military Advisor or Civilian Police Unit determine which contributions from TCs would be most appropriate.
4. United Nations Negotiating Team forms (UN Team) comprised of representatives from Claims (CIMS/FMSS), FGS (or CPU) and LCS
5. FGS (or CPU) determines Major Equipment requirement of a TC and advises UN Team.
6. LCS determines Self Sustainment requirement of a Mission/ TC and advises UN Team
7. CIMS consolidates the information and prepares an initial draft MOU. CIMS coordinates internal meetings with FGS (or CPU) and LCS to clarify outstanding issues and to ensure that the UN's position is accurately represented in the draft MOU.
8. Formal negotiations commence with the TC and UN negotiation team. Functional input is provided from LCS Engineering, LCS Communications, Mine Action Service (UNMAS), Medical Support Unit etc. as necessary.
9. Note: any developments that could affect change to the concept of operation or plan will be referred to MPS (or CPU as necessary) for clarification
10. TC provides further information, data and organisational chart on proposed contingents as required by UN negotiation team.
11. Is there Special Case Equipment ?
yes
a. CIMS calculates monthly reimbursement rate according to data TC provides on GFMV, useful life and maintenance rate.
b. Negotiations take place between UN and TC to reach agreement in principle.
c. CIMS calculates monthly reimbursement rate and submits spreadsheet for approval (FMSS/LCS/FGS/ CPU and UNMAS if Demining). For special case with GFMV > $250,000 approval is required from FALD Director.
no
12. CIMS prepares final draft MOU for internal signed clearance by LCS, FGS or CPU (and UNMAS if required), FMSS and Director of FALD.
13. Final draft MOU submitted to Permanent Mission of TC for approval .
Is draft MOU acceptable to TC ?
no
14. Amendments required are minor ?
yes
no
15. CIMS liaises with TC on amendments to MOU. Draft resubmitted for internal approval as necessary.
16. CIMS amends MOU as necessary and prepares cover letter with 2 final copies of the MOU, and submits these with the signed clearance sheet to the Assistant Secretary General for approval and signature.
17. CIMS submits two copies of final MOU to Ambassador of Permanent Mission of TC for approval and signature.
18. Once signed MOU copy is returned by TC to CIMS, copies are then distributed to Field Mission and internally by CIMS as required.
Process Claim for Reimbursement using Verification Reports
KEY:
CIMS
LCS
MPS/FGS or CPU
ALL

[a] *Abbreviations*: CIMS, Claims and Information Management Section; CPU, Civilian Police Unit; FALD, Field Administration and Logistics Division; FGS, Force Generation Service; FMSS, Finance Management and Support Service; GFMV, generic fair market value; LCS, Logistics Communication Service; MOU, memorandum of understanding; MPS, Mission Planning Service; TC, troop contributor; UNMAS, Mine Action Service.

Annex II

Status of memorandums of understanding in peacekeeping missions as at 30 April 2002

Mission	*No. of countries*	*No. of units*	*Number of memorandums of understanding*			
			Pending signature	*Under negotiation*	*Signed*	*Signed, subject to ratification*
United Nations Mission in the Central African Republic	10	11	0	0	11	1
United Nations Organization Mission in the Democratic Republic of the Congo	8	25	0	1	24	0
United Nations Mission in Sierra Leone	15	69	0	20	49	5
United Nations Angola Verification Mission/United Nations Observer Mission in Angola	9	19	0	0	19	0
United Nations Disengagement Observer Force	3	3	0	1	2	1
United Nations Peacekeeping Force in Cyprus	2	3	1	0	2	0
United Nations Interim Force in Lebanon	7	7	0	0	7	0
United Nations Iraq-Kuwait Observation Mission	1	1	0	1	0	1
United Nations Mission in Ethiopia and Eritrea	12	19	2	0	17	0
United Nations Interim Administration Mission in Kosovo	8	11	0	0	11	1
United Nations Observer Mission in Sierra Leone	1	1	0	0	1	0
United Nations Peace Forces	9	9	0	0	9	0
United Nations Preventive Deployment Force	4	4	0	0	4	0
United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium	10	10	0	0	10	0
United Nations Transitional Administration in East Timor	24	51	2	1	48	1
Total	-	243	5	24	214	10

United Nations A/56/940–S/2002/533

General Assembly
Security Council

Distr.: General
8 May 2002

Original: English

General Assembly
Fifty-sixth session
Agenda item 166
Measures to eliminate international terrorism

Security Council
Fifty-seventh year

Letter dated 8 May 2002 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General

I wish to draw your attention to the latest incidents of Palestinian terrorism directed against the citizens of Israel.

Last night, at approximately 11 p.m. (Israel time), a Palestinian suicide bomber entered a crowded pool hall in the Israeli city of Rishon Letzion and detonated powerful explosives contained in a suitcase he was carrying. The force of the bomb, which was packed with nails and other sharp implements to inflict maximum pain and suffering, caused the collapse of the ceiling and scattered debris more than 100 yards. At last count, 15 Israelis had been killed in the blast and nearly 60 others injured, several of them critically. The terrorist organization Hamas claimed responsibility for the attack.

This afternoon, a Palestinian suicide bomber blew himself up near the Megiddo junction in northern Israel, just a few kilometres from the city of Jenin. No injuries were reported and it appears the bomb may have exploded prematurely. The Megiddo blast is just one of a number of failed or thwarted terrorist attacks in recent days.

These bombings are the latest incidents in the Palestinian campaign of terrorism that has been detailed in letters dated 1 May 2002 (A/56/936-S/2002/503), 12 April 2002 (A/56/909-S/2002/415), 10 April 2002 (A/56/912-S/2002/373), 1 April 2002 (A/56/895-S/2002/337), 27 March 2002 (A/56/891-S/2002/322), 26 March 2002 (A/56/889-S/2002/315), 18 March 2002 (A/56/880-S/2002/293), 14 March 2002 (A/56/876-S/2002/280), 11 March 2002 (A/56/867-S/2002/257), 8 March 2002 (A/56/864-S/2002/252), 5 March 2002 (A/56/857-S/2002/233), 4 March 2002 (A/56/854-S/2002/222), 27 February 2002 (A/56/843-S/2002/208), 20 February 2002 (A/56/828-S/2002/185), 19 February 2002 (A/56/824-S/2002/174), 11 February 2002 (A/56/819-S/2002/164), 8 February 2002 (A/56/814-S/2002/155), 28 January 2002 (A/56/798-S/2002/126), 22 January 2002 (A/56/788-S/2002/104), 18 January 2002 (A/56/781-S/2002/86), 16 January 2002 (A/56/774-S/2002/73), 11 January 2002 (A/56/771-S/2002/47), 4 January 2002 (A/56/766-S/2002/25), 13 December 2001 (A/56/706-S/2001/1198), 4 December 2001 (A/56/678-S/2001/1150), 30 November

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2001 (A/56/670-S/2001/1141), 27 November 2001 (A/56/663-S/2001/1121), 12 November 2001 (A/56/617-S/2001/1071), 5 November 2001 (A/56/604-S/2001/1048), 24 October 2001 (A/56/506-S/2001/1011), 19 October 2001 (A/56/492-S/2001/990), 17 October 2001 (A/56/483-S/2001/975), 8 October 2001 (A/56/450-S/2001/948), 5 October 2001 (A/56/444-S/2001/943), 3 October 2001 (A/56/438-S/2001/938), 24 September 2001 (A/56/406-S/2001/907), 20 September 2001 (A/56/386-S/2001/892), 17 September 2001 (A/56/367-S/2001/875), 7 September 2001 (A/56/346-S/2001/858), 4 September 2001 (A/56/331-S/2001/840), 30 August 2001 (A/56/325-S/2001/834), 27 August 2001 (A/56/324-S/2001/825), 13 August 2001 (A/56/294-S/2001/787), 9 August 2001 (A/56/286-S/2001/780), 8 August 2001 (A/56/280-S/2001/775), 6 August 2001 (A/56/272-S/2001/768), 27 July 2001 (A/56/225-S/2001/743), 26 July 2001 (A/56/223-S/2001/737), 17 July 2001 (A/56/201-S/2001/706), 13 July 2001 (A/56/184-S/2001/696), 3 July 2001 (A/56/138-S/2001/662), 2 July 2001 (A/56/131-S/2001/656), 21 June 2001 (A/56/119-S/2001/619), 19 June 2001 (A/56/98-S/2001/611), 18 June 2001 (A/56/97-S/2001/604), 13 June 2001 (A/56/92-S/2001/585), 11 June 2001 (A/56/91-S/2001/580), 4 June 2001 (A/56/85-S/2001/555), 30 May 2001 (A/56/81-S/2001/540), 25 May 2001 (A/56/80-S/2001/524), 18 May 2001 (A/56/78-S/2001/506), 11 May 2001 (A/56/72-S/2001/473), 9 May 2001 (A/56/69-S/2001/459), 1 May 2001 (A/55/924-S/2001/435), 23 April 2001 (A/55/910-S/2001/396), 16 April 2001 (A/55/901-S/2001/364), 28 March 2001 (A/55/863-S/2001/291), 27 March 2001 (A/55/860-S/2001/280), 26 March 2001 (A/55/858-S/2001/278), 19 March 2001 (A/55/842-S/2001/244), 5 March 2001 (A/55/821-S/2001/193), 2 March 2001 (A/55/819-S/2001/187), 14 February 2001 (A/55/787-S/2001/137), 13 February 2001 (A/55/781-S/2001/132), 2 February 2001 (A/55/762-S/2001/103), 25 January 2001 (A/55/748-S/2001/81), 23 January 2001 (A/55/742-S/2001/71), 28 December 2000 (A/55/719-S/2000/1252), 22 November 2000 (A/55/641-S/2000/1114), 20 November 2000 (A/55/534-S/2000/1108) and 2 November 2000 (A/55/540-S/2000/1065).

Israel holds the Palestinian Authority, and its Chairman, Yasser Arafat, directly responsible for these attacks. As detailed in documents Israel has uncovered and made available to the international community, the Palestinian Authority has been actively involved in financing and organizing terrorist attacks against Israeli civilians. These activities come in addition to the virulent anti-Israeli incitement in the official Palestinian media, and the indoctrination of hatred and the glorification of suicide and martyrdom pervasive in the Palestinian educational system that has been publicized and well known for years. Continued Palestinian terrorist acts clearly demonstrate that the Palestinian leadership has yet to abandon its strategic choice to forsake the path of dialogue and reconciliation in favour of a bloody campaign of violence against Israeli civilians.

In the light of the continuing threat of violence, Israel has no choice but to take the steps it deems necessary, in accordance with its right to self-defence, to provide security for its citizens. In the absence of any genuine Palestinian actions to destroy the terrorist infrastructure that has taken root in its territory and to cut off funding for terrorist organizations, Israel has been compelled to undertake these actions itself.

Israel calls upon the international community to reaffirm that there is absolutely no justification whatsoever for attacks against innocent, unarmed and defenceless civilians. As recognized in Security Council resolutions 1368 (2001) and 1373 (2001), terrorism constitutes a threat to international peace and security

which gives rise to the inherent right of self-defence. Israel further calls upon the international community to impress upon the Palestinian leadership that the realization of the legitimate aspirations of the Palestinian people will be impossible so long as it continues to incite and support acts of terror against Israel.

I should be grateful if you would arrange to have the text of this letter circulated as a document of the fifty-sixth session of the General Assembly, under agenda item 166, and of the Security Council.

(*Signed*) Yehuda **Lancry**
Permanent Representative

United Nations A/56/941

General Assembly

Distr.: General
9 May 2002

Original: English

Fifty-sixth session
Agenda item 133
Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations

Financial performance report for the period from 1 July 2000 to 30 June 2001 and proposed budget for the period from 1 July 2002 to 30 June 2003 for the support account for peacekeeping operations

Report of the Advisory Committee on Administrative and Budgetary Questions*

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General on the financial performance of the support account for peacekeeping operations for the period from 1 July 2000 to 30 June 2001 (A/56/882). The Committee has also considered the report of the Secretary-General on the estimated requirements for the support account for the period from 1 July 2002 to 30 June 2003 (A/56/885). During its consideration of the reports, the Committee met with the representatives of the Secretary-General, who provided additional information and clarification.

I. Financial performance report for the period from 1 July 2000 to 30 June 2001

2. The Committee recalls that the General Assembly, in its resolution 54/243 B of 15 June 2000, originally authorized an amount of $50,699,900 gross ($43,237,900 net) for support account post and non-post requirements for the period from 1 July 2000 to 30 June 2001, approving a total staffing establishment of 469 posts. Having considered the report of the Secretary-General on resource requirements for the implementation of the report of the Panel on United Nations Peace Operations (A/55/507 and Add.1), the General Assembly, in section I of its resolution 55/238 of 23 December 2000, approved additional post and non-post requirements for the period from 1 January to 30 June 2001 of $9,190,200 gross ($8,741,600 net), including 93 additional posts. The total resources made available for the support account for the period from 1 July 2000 to 30 June 2001 therefore amounted to $59,890,100 gross ($51,979,500 net).

* The proposed budget for the support account was made available to the Committee, in an advance version in English only, shortly before the end of its winter meetings. It was therefore necessary to draft the present report after those meetings had adjourned. The Committee commenced its spring meetings on 7 May 2002, and approved its report on the support account and submitted it for processing on 8 May.

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3. The expenditures for the period amounted to $62,026,300 gross ($53,373,900 net), resulting in additional requirements of $2,136,200 gross ($1,394,400 net) — in gross terms, 4 per cent of the approved resources for the period. As indicated in the performance report (A/56/882, para. 7), additional requirements of $3.6 million resulted from underbudgeted requirements under common staff costs for General Service staff ($2.9 million) and staff assessment ($0.7 million). The Committee was informed that this was due to an error in budget calculation resulting in an understatement of the requirement. This was partially offset by an underexpenditure of $1.5 million under non-post resources (see also A/56/882, table 1).

4. The Committee notes that, for the initial 469 posts approved, a vacancy factor of 8 per cent for Professional staff in the Department of Peacekeeping Operations, 6.5 per cent for all other Professional staff, and 2.5 per cent for General Service posts had been applied. For the additional 93 posts approved, a 50 per cent delayed recruitment factor was applied. The Committee notes from the performance report (para. 9 and table 2) that the actual average vacancy rate was 12.3 per cent and 2.5 per cent for the 469 continuing posts in the Professional and the General Service categories, respectively, and 54.2 per cent and 9.5 per cent for the 93 new posts in the Professional and General Service categories, respectively. The savings resulting from the higher than budgeted vacancy rates were more than offset by the underbudgeted requirements under common staff costs for General Service staff, particularly in the Department of Peacekeeping Operations and the Department of Management (see A/56/882, annex II, paras. 1-3).

5. The savings under non-post resources are summarized in the performance report (table 1 and annex II, paras. 5-14). The Committee notes that a large part of the savings result from underexpenditures for electronic data processing equipment ($1,116,200), as a consequence of the delays in the relocation of peacekeeping staff to the additional space completed only at the end of 2001 (see annex II, para. 11).

6. The action to be taken by the General Assembly in connection with the performance report is set out in paragraph 11, of the report (A/56/882). **The Committee recommends approval of the action proposed by the Secretary-General therein.**

II. Proposed cost estimates for the period from 1 July 2002 to 30 June 2003

Format and presentation

7. The Committee notes that the estimates for support account resources for the period from 1 July 2002 to 30 June 2003 are presented, for the first time, using the results-based budgeting format, in accordance with the request of the Committee, endorsed by the General Assembly in its resolutions 55/231, 55/271 and 56/241. The Committee discussed the new format with the representatives of the Secretary-General, who informed the Committee that the presentation would be improved in future, taking into account such guidelines as the Committee and the General Assembly would provide.

8. **The Committee welcomes the efforts to streamline the budget presentation. The Committee is of the view, however, that adequate justification of the proposed estimates should be maintained, and that accurate workload data and analysis should become an integral part of the budget proposals. The Committee recalls its comments in earlier reports (see A/55/882, para. 12 and A/56/478, para. 10).**

9. **Accordingly, while it acknowledges the efforts made by the Secretariat, the Committee is of the opinion that, in preparing the next estimates, further progress should be made in defining more clearly objectives and expected results. Furthermore, the budget process should ensure that the indicators are relevant and can be used as elements to measure the achievement of the expected results. Ideally, therefore, the 210 outputs summarized in section X of the budget report (A/56/885) should provide evidence that they are contributing to the implementation of the stated objectives and the attainment of the expected results.**

10. The Committee has made relevant comments and recommendations on the results-based budgeting format in its first report on the proposed programme budget for the biennium 2002-2003 (A/56/7, paras. 4-18) and in its report on the administrative and budgetary aspects of the financing of the United Nations peacekeeping operations (A/56/887, paras. 25-26).

11. The Committee is of the opinion that the presentation of peacekeeping budgets, including support account budgets, should be tailored to the circumstances of peacekeeping operations rather than attempt to mirror the presentation of the regular budget. The presentation should be realistic, and define objectives and expected accomplishments, which must be attainable in the context of the services required of the peacekeeping operation concerned and in the time frame for the delivery of those services. In this connection, a distinction must be made between what can be accomplished within the budget period and what are longer-term expectations. For example, with regard to the statement of expected accomplishments in support to peacekeeping operations as a whole made in paragraph 6 of the budget report, the Committee does not believe that it has been demonstrated clearly in the report how these can be achieved between 1 July 2002 and 30 June 2003.

12. In paragraph 7 of the report it is stated that to reach those accomplishments, the Organization would require the budget resources that are reflected in table 2. **In the opinion of the Committee, that statement is too broad to be useful and should be avoided in future in any budget prepared according to the results-based budgeting format. Furthermore, it would be helpful if the Secretariat could demonstrate in the presentation, and in additional information to be supplied to the Committee, what the consequences would be if a specific level of staff or non-staff resources proposed were not authorized for the activities concerned. The limited statements in paragraphs 17, 18, 22, 105 and 106 appear to be conclusions, without an indication of the underlying analysis, including workload analysis, leading to those conclusions. In this regard, the comments of the Committee in paragraph 8 above, on the need for adequate justification, become pertinent.**

13. **Moreover, in order to promote accountability, the responsibility of each unit and programme manager in the delivery of services should be obvious and stated more clearly. To this end, the level of aggregation of objectives and expected results contained in the current submission should be re-examined. As a starting point, the budget performance for the period ending 30 June 2003 should concentrate on providing information on the extent to which organizational units and the Department of Peacekeeping Operations as a whole have attained their respective expected accomplishments.**

14. **As to the non-staff cost tables, the Committee recommends that these be further broken down to include amounts appropriated and spent during the past two periods, in order to allow better analysis of the resources proposed.**

15. **In addition, information should be included in future reports as to the action taken to implement the Committee's recommendations.**

Analysis of the proposed cost estimates

16. The Secretary-General, in his report on the proposed budget (A/56/885), estimates support account resources for the period from 1 July 2002 to 30 June 2003 at $102,316,380 gross ($88,389,480 net), which would provide for the staffing of 711 temporary posts. The Committee recalls that the General Assembly, in its resolution 55/271 of 14 June 2001, approved 562 support account-funded temporary posts for the period from 1 July 2001 to 30 June 2002 and that, in its resolution 56/241 of 24 December 2001, it approved an additional 121 posts for the remaining six-month period, from 1 January to 30 June 2002, after consideration of the resources related to the comprehensive review and capacity study requested by the Special Committee on Peacekeeping Operations.

17. As shown in table 2 of the report, the amount proposed, in gross terms, represents an increase of $12,567,130 ($12,467,800 net) over the total amount approved for the period from 1 July 2001 to 30 June 2002 of $89,749,250 gross. Most of the increase ($9,359,700) is due to the full 12-month costing of the additional 121 posts and non-post resources approved by the General Assembly in resolution 56/241, and the four posts approved in resolution 56/255 for the Office of the United Nations Security Coordinator, in addition to costs related to the proposal to establish 24 additional posts. Other increases include training ($2,055,000), consultants and experts ($938,600), staff assessment ($3,486,150), and travel ($546,400). These are offset by various decreases, mainly under general operating expenses ($3,053,950).

18. The level of resources proposed takes into account the projected scope of peacekeeping operations

shown in table 1 of the budget report, which reflects the overall magnitude and volume of peacekeeping operations and support. The Committee notes the statement in paragraph 4 that "by 2002, the support capacity at the United Nations Secretariat is reaching a level where it can effectively backstop the current volume of operations, address the needs of Member States, and pay attention to such medium-term organizational priorities as improving processes, upgrading technology, training people, and changing the organizational culture to enhance effectiveness and efficiency".

19. The overall resources under posts ($68,290,600) include the establishment of the 24 additional support account posts mentioned in paragraph 17 above, namely, 12 in the Department of Peacekeeping Operations, 3 in the Medical Services Division, 6 in the Information Technology Services Division, 1 in the Procurement Division, and 2 in the Department of Public Information. The Committee further notes that a vacancy turnover factor of 8 per cent for Professional staff and 2.5 per cent for General Service staff has been applied in the costing exercise. **The Committee is of the opinion that an increase in workload should not automatically lead to additional posts. In the first instance, the increase should be accommodated through increased productivity and efficiency before a decision is made to request additional posts.**

20. The support account resources of the Department of Peacekeeping Operations for the period from 1 July 2002 to 30 June 2003, which account for almost 77 per cent of the overall resources, amount to $78,484,730 in gross terms — an increase of $14,196,930 compared to the appropriation for the period from 1 July 2001 to 30 June 2002 of $64,287,800 (see A/56/885, table 21). The 12 additional posts proposed for the Department of Peacekeeping Operations include the following: one D-2 for a Director of Change Management (ibid., para. 15); two D-1 posts for an executive officer (para. 46) and a Chief of the Communication and Information Technology Service (para. 34); one P-5 for a Senior Gender Adviser (para. 16); one P-4 for a Disarmament, Demobilization and Reintegration Adviser (para. 17); seven General Service posts: four in the Office of Operations (para. 22), one administrative assistant within the Peacekeeping Best Practices Unit (para. 18) and two administrative assistants in the Executive Office (para. 47).

21. The Committee was informed that of the 533 currently approved posts for the Department of Peacekeeping Operations (332 Professional and 201 General Service), as of March 2002 there were 64 vacancies (58 Professional and 6 General Service).

22. As to the recruitment to fill the 91 additional posts approved under resolution 56/241 for the Department of Peacekeeping Operations, the Committee was informed that 58 posts were occupied as at 27 March 2002: 23 "permanently" encumbered after completion of established recruitment procedures (8 Professional and 15 General Service) and 35 "temporarily" occupied, pending completion of the established recruitment exercises (25 Professional and 10 General Service).

23. **The Committee recalls that, in a previous report (A/56/478), it recommended approval of the proposed D-2 post for the Director of Management. The Committee maintains its recommendation, in the context of the position set out in that report (para. 28). The Committee also recommends approval of the proposal to establish a P-4 post for the Disarmament, Demobilization and Reintegration Adviser, in view of the need for a focal point in the Department, which is solely responsible for such activities in peacekeeping operations, and of the General Service post proposed in the Peacekeeping Best Practices Unit. As to the two D-1 posts proposed (executive officer and Chief of the Communication and Information Technology Service), the Committee remains unconvinced of the need for the posts at that level, as it has previously indicated (A/56/478, paras. 34 and 56). Neither is it convinced of the need for the four General Service posts in the Office of Operations. However, the Committee does recommend approval of one of the two General Service posts proposed for the Executive Office.**

24. The Committee exchanged views with the representatives of the Secretary-General as to the functions or role of the P-5 post proposed for a Senior Gender Adviser in the Peacekeeping Best Practices Unit. The Committee is of the opinion that no adequate rationale for the post has been advanced, given that a more coherent policy in this regard is still to be developed (see A/56/478, para. 33). **Under the circumstances, the Committee does not recommend acceptance of the proposal to establish the P-5 post for the Senior Gender Adviser.**

25. The Committee recalls requesting that additional information on extrabudgetary resources to support the activities of the Department of Peacekeeping Operations be clearly identified and disclosed in future cost estimates, such as those related to the Peacekeeping Best Practices Unit, the Mine Action Service or training assistance (A/55/882, para. 13). This was found lacking in the presentation. **The Committee reiterates its request for future submissions.**

26. In this connection, the Committee notes, that for the period from 1 July 2002 to 30 June 2003, the Mine Action Service has 19 approved posts (14 Professional and 5 General Service) funded under the Voluntary Trust Fund, in addition to 5 authorized support account posts (4 Professional and 1 General Service). Upon enquiry, the Committee was further informed that estimated expenditure for the period, partly dependent upon the availability of funds contributed by donors, is estimated at $15 million. These expenditures fund the totality of activities of the Mine Action Service only. Programmes relating to mine operations are funded from extrabudgetary resources within field missions.

27. As to the Peacekeeping Best Practices Unit, the Committee notes that the additional staffing and resources approved for the Unit have reduced the dependence on voluntary contributions. The Unit currently has eight support account authorized posts (7 Professional and 1 General Service) and, as indicated in paragraph 20 above, three additional posts (1 P-5 for a Senior Gender Adviser, 1 P-4 for a Disarmament, Demobilization and Reintegration Adviser and 1 General Service) are currently being requested (see the Committee's recommendations in paras. 23 and 24 above). However, the Unit still continues to benefit from contributions to the Trust Fund and, on the basis of the current fund balance, estimated related expenditures are expected to approximate $412,000.

28. The non-post costs proposed for the Department of Peacekeeping Operations for the period from 1 July 2002 to 30 June 2003 are estimated at $15,453,730 — an increase of $5,862,030 over the amount of $9,591,700 appropriated for the period 2001-2002. The Committee notes, as shown in table 21 of the report, that the increase is mostly due to additional resources under general operating expenses ($4,056,600) and training ($1,767,000).

29. The resources proposed for training in the Department of Peacekeeping Operations include $200,000 under non-staff costs of the Executive Office for staff training (see A/56/885, para. 52); a first time provision for $694,500 for the Personnel Management and Support Service (see para. 29 and table 10); and $1,753,000 for the training activities of the Training and Evaluation Service of the Military Division (see para. 42). The Committee notes that the Civilian Training Section in the Personnel Management and Support Service oversees policy in the area of training at both Headquarters and the missions. The Committee was informed that a training catalogue was being finalized, which would be available electronically where possible, otherwise in hard copy, as well as systems for the monitoring and evaluation of these activities. **The Committee welcomes these developments.**

30. The Committee further notes that the total proposed resources for training programmes in the support account for 2002-2003 amount to $3,035,500 ($2,647,500 for the Department of Peacekeeping Operations, $295,000 for the Department of Management, $90,000 for the Office of Internal Oversight Services, and $3,000 for the Office of Legal Affairs) and that those proposed in the budgets of the different missions amount to $4,042,200, making a total of $7,077,700. The Committee has referred to the issue of training in its report on the administrative and budgetary aspects of the financing of the United Nations peacekeeping operations (see A/56/887, paras. 74-75) and its first report on the proposed programme budget for the biennium 2002-2003 (A/56/7, para. VIII.35). **Given the significant and increasing amounts being spent on training related to peacekeeping operations, the Committee is of the opinion that the time has come for the Secretariat to develop a methodology and monitoring system to evaluate the results of that training in peacekeeping and related areas, as well as to increase its effectiveness by making it more mission-specific, where appropriate. The outcome of this exercise should be provided in the context of the submission of budgets for peacekeeping operations for the period 2003-2004. Based on the above, a methodology could also be developed to arrive at proposals for the training requirements to be included in future budget submissions.**

31. As to the costs associated with general operating expenses, the Committee notes from table 2 of the budget report that overall support account resources for this item amount to $8,170,600 — a decrease of $3,053,950 compared to the provision included for 2001/2002. The Committee also notes that the related provision for the Department of Peacekeeping Operations shows an increase from $2,119,600 in 2001/2002 to $6,176,200, while that of the Department of Management shows a decrease from $9,055,850 to $1,588,700 in view of the fact that the provision for rental of premises, previously contained in the resource requirements of that Department, is now allocated to the respective departments or offices. As regards available space for the Department of Peacekeeping Operations, the Committee notes the amount of $4,631,200 indicated (A/56/885, para. 48) for the rental of premises for the Department, based on standard costs. **The Committee has repeatedly referred to the issue of space allocation (see A/55/882, para. 25, and A/56/7, para. VIII.78). The Committee regrets that no information was presented in the current submission and requests that such an assessment be included in the context of the support account submission for the period from 1 July 2003 to 30 June 2004.**

32. As shown in table 29 of the Secretary-General's report, requirements of $403,500 are proposed for the Department of Public Information. This represents 0.4 per cent of the overall support account resources. No support account resources have been provided until now to the Department although there are 289 public information staff (85 Professional, 41 General Service, 156 local, 2 national officers and 5 United Nations Volunteers) in different peacekeeping missions (see the annex to the present report). The proposed provision includes $251,200 for posts, in view of the request for two P-4 posts for two information officers that would provide planning and operational support to the public information components of approximately eight missions.

33. The Committee welcomes the information provided in annex II to the report (A/56/885) outlining the division of responsibilities between the Department of Peacekeeping Operations and the Department of Public Information. The Committee recalls that in its report on the implementation of the report of the Panel on United Nations Peace Operations (A/56/478, para. 32) it indicated that the Department of Public Information should have a dedicated unit to identify and implement public information programmes in peacekeeping missions on the basis of objectives tailored to the specific needs of the missions concerned, but that the operational activities and related programmes should be requested in the context of each peacekeeping mission. The Committee referred to the operational activities and related programmes in its report on the administrative and budgetary aspects of the United Nations peacekeeping operations (see A/56/887, para. 72). **In view of the currently ongoing comprehensive review of the management and operations of the Department of Public Information, requested by the General Assembly (resolution 56/253 of 24 December 2001, para. 150) and the anticipated submission of the related report to the Assembly at its fifty-seventh session, the Committee recommends delaying a decision on the requested additional posts.**

34. The support account resources proposed for the Department of Management are summarized in table 43 of the Secretary-General's report. The requirements of $18,265,700, or 17.9 per cent of the overall support account resources, reflect a decrease in resources of $3,410,300 compared to the resources for 2001/2002. This is mostly due to the decrease of $7,467,150 under general operating expenses, as a result of the allocation of the costs for the rental of premises, previously allocated under the Department's resources, to the respective departments or offices. This decrease is offset in part by an increase of $2,568,050 under posts in view of the proposal to establish 10 new support account posts (3 Professional and 7 General Service).

35. The Secretary-General is proposing to establish three additional posts in the Office of Human Resources: one P-4 post for a medical officer (see para. 95) and two General Service posts for nurses (para. 96). The Committee notes that the Medical Services Division currently has an approved total of 28 posts (14 regular budget posts, 10 extrabudgetary posts, 4 support account posts). **The Committee does not see the need for the additional medical officer. However, the Committee recommends acceptance of the proposal to establish the two additional posts for nurses at the General Service level.**

36. Paragraph 97 indicates a provision for $240,000 for non-post requirements for the Medical Services Division related to general temporary assistance. **The**

Committee recommends acceptance of this proposal.

37. Besides the maintenance of the funding for the current number of 38 support account posts (19 Professional and 19 General Service), the Secretary-General is proposing to provide 7 additional support account posts to the Office of Central Support Services (2 Professional and 5 General Service). An additional P-3 post for a procurement officer is proposed in the Procurement Division; a P-2 post is proposed for Internet/Intranet support for missions (including IMIS); and five General Service posts (principal level), to support the wide area network and supporting satellite links, are proposed in the Information Technology Services Division (see paras. 105-107).

38. **As regards the proposal for a P-3 procurement officer post, while the Committee does not interpose an objection, it recalls that it had requested information on the structure and staffing of the Procurement Division which has not been received. The Committee recommends that approval of this post by the General Assembly should be subject to the submission to the Fifth Committee of the requested information.**

39. **The Committee recommends acceptance of the proposal to establish the P-2 and the five General Service posts in the Information Technology Services Division, which currently only has one P-2 support account post.**

40. **The action to be taken by the General Assembly in connection with the financing of the support account for the 12-month period from 1 July 2002 to 30 June 2003 are set out in section II of the report (A/56/885).**

41. **In view of the recommendations made by the Committee in paragraphs 23, 24, 33 and 35 above, the Committee recommends that the General Assembly approve total staffing and non-staffing requirements of $100,554,780 gross ($86,865,780 net) for the period from 1 July 2002 to 30 June 2003. The Committee also recommends that the miscellaneous income of $127,800 from the period from 1 July 2000 to 30 June 2001 be applied to the resources required for the period from 1 July 2002 to 30 June 2003 and that the balance of $100,426,980 gross ($86,737,980 net) be prorated among the individual peacekeeping operation budgets to meet the requirements of the support account for the period from 1 July 2002 to 30 June 2003.**

Annex

Proposed public information staffing for the period 1 July 2002 to 30 June 2003

	Professional category and above									*General Service and related categories*								
	USG	*ASG*	*D-2*	*D-1*	*P-5*	*P-4*	*P-3*	*P-2/ P-1*	***Total***	*Field Service*	*Principal level*	*Other level*	*Security Service*	***Total***	*Local staff*	*National Officers*	*United Nations Volunteers*	***Grand total***
UNDOF	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
UNIFIL	-	-	-	1	-	2	-	-	**3**	-	-	-	-	-	4	-	-	**7**
UNIKOM	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
MINURSO	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
UNFICYP	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
UNOMIG	-	-	-	-	-	1	-	-	**1**	-	-	-	-	-	-	-	-	**1**
UNMIBH	-	-	-	-	1	2	3	-	**6**	2	-	-	-	**2**	13	2	-	**23**
UNMIK	-	-	-	1	2	10	11	4	**28**	-	-	7	-	**7**	30	-	-	**65**
UNAMSIL	-	-	-	-	1	2	3	2	**8**	1	-	3	-	**4**	28	-	1	**41**
UNTAET	-	-	-	-	1	-	4	2	**7**	-	-	2	-	**2**	6	-	-	**15**
MONUC	-	-	-	1	1	7	9	6	**24**	12	-	7	-	**19**	65	-	-	**108**
UNMEE	-	-	-	-	1	3	3	1	**8**	6	-	1	-	**7**	10	-	4	**29**
Total	**-**	**-**	**-**	**3**	**7**	**27**	**33**	**15**	**85**	**21**	**-**	**20**	**-**	**41**	**156**	**2**	**5**	**289**

United Nations A/56/942

General Assembly

Distr.: General
13 May 2002

Original: English

Fifty-sixth session
Agenda item 21 (c)
Cooperation between the United Nations and regional and other organizations: cooperation between the United Nations and the Council of Europe

Letter dated 9 May 2002 from the Permanent Representative of Lithuania to the United Nations addressed to the Secretary-General

I have the honour to recall the 110th session of the Committee of Ministers of the Council of Europe, which took place in Vilnius on 2 and 3 May 2002 under the chairmanship of Mr. Antanas Valionis, Minister for Foreign Affairs of the Republic of Lithuania. During this event, Ministers concentrated their discussion on the issues of international action against terrorism and the contribution of the Council of Europe. Great importance was also attached to the necessity of effective regional cooperation.

With this regard, I have the honour to submit herewith the texts of the communiqué of the 110th session of the Committee of Ministers (annex I), the Vilnius Declaration on Regional Cooperation (annex II) and the Conclusions of the Chair (annex III). I would be grateful if the text of the present letter and its annexes were to be distributed as a document of the fifty-sixth session of the General Assembly, under agenda item 21 (c), Cooperation between the United Nations and regional and other organizations: cooperation between the United Nations and the Council of Europe.

(*Signed*) Gediminas **Šerkšnys**
Ambassador
Permanent Representative of the Republic of Lithuania
to the United Nations

02-37974 (E) 230502

Annex I to the letter dated 9 May 2002 from the Permanent Representative of Lithuania to the United Nations addressed to the Secretary-General

[Original: English and French]

Communiqué of the 110th session of the Committee of Ministers

Vilnius, 3 May 2002

The Council of Europe confirms its commitment to international action against terrorism and stresses the importance of regional cooperation in consolidating democratic stability in Greater Europe

At their 110th Session (Vilnius, 3 May 2002), under the chairmanship of Antanas Valionis, Minister for Foreign Affairs of Lithuania, the Ministers concentrated their discussion on the following subjects:

I. International action against terrorism - the contribution of the Council of Europe

The Ministers assessed progress in the work carried out with regard to the three cornerstones which they had defined for the Council of Europe contribution to international action against terrorism: intensifying legal cooperation to combat terrorism, safeguarding fundamental values and investing in democracy. On this basis, they agreed on a number of guidelines for future action.

From the outset, the Ministers reiterated that States had an obligation to protect their populations against all forms of terrorism. The main contribution of the Organisation is to strengthen the legal basis of counter-terrorist measures, while fully respecting human rights and complying with the demands of democracy and the rule of law, as well as to help eradicate the roots of terrorism by fighting discrimination, intolerance and extremism and promoting multicultural and inter-religious dialogue.

The Ministers took note with satisfaction of the first report of the Multidisciplinary Group on international action against Terrorism (GMT) set up last November. They expressed their political will that efforts be sustained in the areas identified by the GMT, including the strengthening of international cooperation, through the updating of the 1977 European Convention on the suppression of terrorism.

The Ministers reaffirmed their support for the Organisation's efforts to combat terrorism, in particular through examining the possibility of setting up a specific follow-up mechanism to the Council of Europe's action in this field.

Accordingly, they instructed the GMT to prepare a draft protocol to the European Convention on the suppression of terrorism, and noted that a new report will be submitted to them for their next session.

The Ministers welcomed the work on draft guidelines on human rights and the fight against

terrorism, which is being carried out by the Steering Committee on Human Rights (CDDH). These are to be finalised by the latter in June 2002 and will lay down the principles to be observed by the member States and all States intending to respect human rights and the rule of law in the struggle against terrorism.

The Ministers recalled that the general principle that underlies these guidelines is that respect for human rights is not an obstacle to the fight against terrorism. The obligation for States to protect the fundamental rights of everyone within their jurisdiction against terrorist acts, in particular the right to life, requires them to take efficient measures to fight against terrorism. These measures must however be reasonable and proportionate, and require striking a balance between the obligation to take protective measures against terrorism and the obligation to protect and defend human rights and fundamental freedoms.

The Ministers noted the additional contribution made in the field of prevention and eliminating the causes of terrorism. This included the Council of Europe's work to foster greater social cohesion and pay more attention to cultural and religious diversity, with full respect on all sides for the fundamental values of democracies. The Ministers called for efforts to develop pilot schemes aimed at multicultural and inter-religious dialogue at different levels (north-south, transfrontier, regional and local). They confirmed their interest in programmes geared to better control of migratory flows and integration of migrants, whose fundamental rights must be safeguarded.

The Ministers also welcomed the concerted action carried out - parallel to intergovernmental work - in the field of interparliamentary cooperation. In this respect, particular reference was made to the recent Interparliamentary Forum in St Petersburg, organised on the joint initiative of the Interparliamentary Assembly of Member Nations of the Commonwealth of Independent States and the Parliamentary Assembly of the Council of Europe, in cooperation with the Parliamentary Assembly of the OSCE and the European Parliament. The Ministers stressed that the support of populations, through their elected representatives, is indispensable.

Lastly, the Ministers expressed their firm belief that the fight against terrorism can be well served by strengthening regional cooperation in this respect.

II. Regional co-operation: its impact on stability and democratic reforms in Europe

The Ministers examined ways and means of strengthening cooperation between the Council of Europe and regional mechanisms with a view to taking greater advantage of their capabilities in enhancing the ideals and standards of the Council of Europe through cooperation within their own structures.

At the close of the discussion, the Ministers adopted the Vilnius Declaration on "Regional Co-operation and the Consolidation of Democratic Stability in the Greater Europe". The Declaration emphasises the role regional co-operation can play in the building of a Greater Europe without dividing lines.

The Ministers also agreed on a number of areas in which closer cooperation and synergy between the Council of Europe and regional mechanisms could be particularly fruitful. They invited the Secretary General to convene a working meeting of these bodies in Strasbourg, as a follow-up to the Session.

They encouraged initiatives aiming at developing regional co?operation in those parts of Europe where such co-operation does not yet exist and could be particularly useful in providing for constructive approaches among the countries concerned. In this context, they called on for the removal of existing obstacles to such cooperation.

The Ministers decided to transmit this Communiqué and the Vilnius Declaration to the United Nations and the OSCE.

Annex II to the letter dated 9 May 2002 from the Permanent Representative of Lithuania to the United Nations addressed to the Secretary-General

Vilnius Declaration on regional cooperation

Bearing in mind the statutory aim of the Council of Europe, which is to achieve a greater unity between its members across the continent on the basis of their common commitment to pluralist democracy, respect for human rights and the rule of law;

Convinced that regional co-operation between European countries can make an essential contribution to the building of a Greater Europe without dividing lines, encompassing all the countries on the continent, as advocated by the Committee of Ministers' Budapest Declaration (7 May 1999);

Recalling also the Declaration on transfrontier cooperation in Europe adopted by the Committee of Ministers on the occasion of the 40th Anniversary of the Council of Europe;

We, the Ministers of Foreign Affairs of the member states of the Council of Europe, meeting in Vilnius for our 110th session and having discussed the achievements of a number of regional co-operation mechanisms;

Stress the importance of regional co-operation as a factor for consolidating democratic stability in various parts of the European continent;

Underline that, according to the particular situation of the countries involved and their common aims, regional co-operation helps to implement the Council of Europe's founding principles of pluralist democracy, human rights and the rule of law at grass-roots level, by:

-promoting the Council of Europe's values and standards on a day-to-day basis;
-strengthening the protection of national minorities while respecting the territorial integrity of states;
-transforming borders into lines of contact thus facilitating exchanges between peoples;
-promoting mutual understanding and cultural co-operation;
-encouraging good neighbourly relations and mutual trust;
-fostering social and economic development;

Call for the regional dimension of the Council of Europe's co-operation programmes to be reinforced in the regions regarded as priorities by the Organisation, building on the results already achieved in the Council's areas of responsibility;

Express our support for efforts to develop regional cooperation wherever a need for such cooperation exists;

Encourage member states, in view of the experience acquired by regional co-operation mechanisms, to reinforce this co-operation, especially with regard to the following:

-awareness-building in the spheres of human rights, protection of minorities, confidence-building measures and education;
-freedom of the media;
-more advanced integration processes and the resulting opportunities for all member states;
-transborder activities by civil society to promote pluralist democracy;
-transfrontier co-operation between local and regional authorities and the setting up and development of Euro-regions;
-cross-border harmonisation of the conditions governing social and economic development, trade and investment, as well as improvements to infrastructure and conservation of the natural and cultural heritage;
-freedom of movement and contacts between people, especially youth;
-education and health protection;
-justice and law enforcement, including the fight against organised crime and corruption, trafficking in human beings and illegal migration;
-co-operation against terrorist activities while respecting human rights and fundamental freedoms;

Agree to promote coherence between the activities of the Council of Europe and those of the various regional co-operation mechanisms, as well as the sharing of their experience and results;

To that end, invite the Secretary General of the Council of Europe to convene a working meeting of representatives of regional co-operation mechanisms with representatives of the Council of Europe and other European institutions and organisations, in order to:

-exchange and compare information on regional activities and projects;

-identify common methods and aims for effective interaction;

-discuss possible joint projects in specific areas;

-lay down guidelines for the exchange of information and for co-operation between their secretariats or representatives in the planning and implementation of programmes;

-gather information on the Council of Europe's experience and achievements and contribute to ongoing or planned activities of relevance to them;

-make proposals regarding future co-operation.

Annex III to the letter dated 9 May 2002 from the Permanent Representative of Lithuania to the United Nations addressed to the Secretary-General

Conclusions of the Chair

1. Under the chairmanship of Antanas Valionis, Minister of Foreign Affairs of Lithuania, the Committee of Ministers held its 110th session in Vilnius on 2-3 May 2002, with two main topics on its agenda: the Council of Europe's contribution to international action against terrorism and the impact of regional co-operation on stability and democratic reform in Europe.
2. The discussion on **international action against terrorism** was held on the basis of a report by the Secretary General (SG/Inf(2002)19), assessing the activities carried out by the Council since the last ministerial session in November 2001. It was introduced by statements by Louis Michel, Minister of Foreign Affairs of Belgium, Franz Von Däniken, State Secretary for Foreign Affairs of Switzerland, and Zlatko Lagumdžija, Minister of Foreign Affairs of Bosnia and Herzegovina, who outlined progress in the three areas of action (intensifying legal co-operation to combat terrorism, safeguarding fundamental values and investing in democracy) which the Ministers had defined for the Council of Europe six months previously. The President of the Parliamentary Assembly, Peter Schieder, and the Commissioner for Human Rights of the Council of Europe, Alvaro Gil-Robles, also contributed to the discussion.
3. In this context, on the basis of the first report of the Multidisciplinary Group on Terrorism (GMT), the Ministers expressed their political will to eliminate as far as possible the obstacles to international co-operation against terrorism, in particular through the re-examination of reservations by member states in the application of the relevant legal instruments and the updating of the 1977 European Convention on the Suppression of Terrorism, while calling for the introduction therein of a clause authorising - in accordance with the case-law of the European Court of Human Rights - the refusal to extradite to a country where there is a risk of applying a death sentence. They also affirmed their will to promote the efforts of the Council of Europe to combat the financing of terrorism, to strengthen legal co-operation and the training of professionals, and to intensify exchanges of information.
4. The discussion on **regional cooperation** and its impact on stability and democratic reform in Europe was introduced by Antanas Valionis. The Chairman's introduction was followed by presentations from Evgueni Goussarov, Deputy Minister of Foreign Affairs of the Russian Federation (on behalf of the Council of Baltic Sea States), Anatoli Zlenko, Minister of Foreign Affairs of Ukraine (on behalf of the Black Sea Economic Cooperation Council), Slobodan Casule, Minister of Foreign Affairs of "the former Yugoslav Republic of Macedonia" (on behalf of the Central European Initiative), Luan Hajdaraga, Deputy Minister of Foreign Affairs of Albania (representing the new Chairmanship of BSEC and the previous Chairmanship of SEECP), and Goran Svilanovic, Minister of Foreign Affairs of the Federal Republic of Yugoslavia (on behalf of the South-Eastern Europe Cooperation Process). Mary Robinson, the United Nations High Commissioner for Human Rights, Llibert Cuatrecasas, the President of the Congress of Local and Regional Authorities of Europe, and Jan Kubis, Secretary General of the OSCE, also contributed to the discussion.
5. As part of the preparatory work for the session, exchanges of views had been held, at the level of Ministers'Deputies, with representatives of the Central European Initiative (CEI), the South-Eastern Europe Co-operation Process (SEECP) and the Black Sea Economic Co-operation Council (BSEC), on 1 March 2002, and with a high-level delegation from the Council of Baltic

Sea States (CBSS) on 22 March 2002. This preparatory work laid down the basis for further development in the interaction between the Council of Europe and regional cooperation mechanisms.

6. Following the discussion, the Ministers adopted the Communiqué of the Session, containing the participants' main conclusions with regard to the two topics mentioned above, as well as the "Vilnius Declaration on regional cooperation and the consolidation of democratic stability in Greater Europe".

7. The Ministers also adopted the **Convention on Contact concerning Children** (CM(2002)67) and Addendum), with a view to its opening for signature on 14 October 2002 in Strasbourg, at the 6th European Conference on family law.

8. In the context of the Session, the Ministers also:

- held an exchange of views with the Secretary General of the League of Arab States, Amre Moussa (which focussed mainly on international action against terrorism and the situation in the Middle East) and discussed the possible holding of a Third Summit of the Council of Europe, at their informal meeting on the evening of 2 May, at the invitation of the Secretary General Walter Schwimmer. In this context, the Ministers noted that a report would be prepared by their Deputies for a possible decision on the principle, theme(s), host country and timetable of such a Summit, at their 111th Session in November 2002;
- opened for signature **Protocol No. 13 to the European Convention on Human Rights on abolition of the death penalty in all circumstances**, on the morning of 3 May. This protocol, which marked a new stage in the Council of Europe's fight to secure universal abolition of the death penalty, was signed by 36 member states.

9. The 110th Session also gave Ministers an opportunity to assess recent developments in the Council of Europe. In particular, the Ministers:

- welcomed the **accession of Bosnia and Herzegovina** as the 44th member of the Council of Europe, on 24 April 2002, and the first participation of the country's Foreign Affairs Minister as a full member of the Committee of Ministers. In this context, the Ministers recalled the decisions taken in connection with this accession, namely the setting-up of a procedure for monitoring the commitments entered into by Bosnia and Herzegovina and the implementation of a post-accession assistance programme, and instructed their Deputies to ensure that these decisions were put into effect;
- were pleased to note the progress made by the **Federal Republic of Yugoslavia (Serbia-Montenegro)** towards accession to the Council of Europe, while expressing the hope that the country would be able - once the necessary conditions were met and once the Parliamentary Assembly had adopted its opinion - to join the Organisation as soon as possible;
- reiterated their concern about recent developments in **Moldova**, while reaffirming their determination - bearing in mind in particular that Moldova was due to chair the Committee of Ministers from May to November 2003 - to continue monitoring the situation in this member state and to provide it with the necessary assistance to enable it to overcome its difficulties;
- were pleased to note the results obtained in implementing the specific procedure for monitoring the commitments entered into by **Armenia and Azerbaijan** on joining the Council of Europe, while at the same time stressing the need for further progress and reaffirming their determination to continue the dialogue conducted with the two member states on this matter;
- noted the efforts of the Lithuanian Chairmanship to address the issue of relations between the Council of Europe and **Belarus**, and stressed that progress will depend on willingness of the

Belarussian authorities to anchor their country in the system of shared values of the Council of Europe;
- expressed their continued support for the Council of Europe's work in restoring the rule of law, respect for human rights and democracy in the **Chechen Republic, Russian Federation**. In this context, the agreement reached on 20 April between the Secretary General of the Council of Europe and the Minister of Foreign Affairs of the Russian Federation with a view to maintaining Council of Europe experts' presence in the region, on the basis of an extended mandate, was welcomed;
- expressed their appreciation of the Council of Europe's action to promote **democratic stability in Greater Europe**, and of the dialogue that it was conducting with member states - and the assistance it was providing - to help them honour their obligations and commitments. Special reference was made in this respect to the high-level visits carried out by the Chair of the Committee of Ministers to "the former Yugoslav Republic of Macedonia" (29-30 November 2001), Moldova (5-6 December 2001), Ukraine (7-8 December 2001), the Russian Federation (14-16 January 2002), Bosnia and Herzegovina (2-5 April 2002) and Armenia, Azerbaijan and Georgia (8-13 April 2002);
- expressed renewed support for the Council of Europe's contribution to the implementation of the **Stability Pact for South-East Europe** and UN Security Council Resolution 1244 on **Kosovo**. In this context, having reaffirmed their appreciation of the results of the observer missions conducted by the Council - at the request of the UNMIK and the OSCE - for the local and general elections in Kosovo in October 2000 and November 2001 respectively, the Ministers agreed in principle that a further mission should be sent to monitor the municipal elections in the autumn of 2002;
- welcomed the initiative taken by the "4L" countries (Latvia, Liechtenstein, Lithuania, Luxembourg) chairmanships to streamline the **Committee of Ministers' monitoring procedure** and instructed their Deputies to give appropriate follow-up;
- noted with satisfaction the progress made in **cooperation between the Council of Europe and the European Union, OSCE and the United Nations**, in particular through the adoption of a Resolution by the UN General Assembly on relations with the Council of Europe (5 December 2001) and a number of high-level contacts both at bipartite level - with the European Union (Brussels, 20 November 2001 and Madrid, 10-11 December 2001) and with the OSCE (Bucharest, 3 December 2001 and Lisbon, 14 February 2002) - and at tripartite level - with the OSCE and the United Nations (Strasbourg, 8 February 2002);
- welcomed the enhanced **cooperation between the Committee of Ministers and its main partners within the Council of Europe**, of which the participation of the President of the Parliamentary Assembly, the President of the Congress of Local and Regional Authorities and the Council of Europe's Commissioner for Human Rights to the 110th Session was a symbol;
- expressed their appreciation of the efforts made by the Chair to strengthen **relations between the Council of Europe and its observer States** (Canada, Holy See, Japan, Mexico and the United States) and looked forward for prospects of closer involvement of these countries in the Council of Europe activities;
- reaffirmed their satisfaction at the entry into force of the Statute of Rome setting up the **International Criminal Court**, while drawing attention to the part played by the Council of Europe - 31 of whose 44 member states had ratified the Statute to date - in this fundamental step forward in the field of international justice;

- were pleased to note the adoption by their Deputies, on 21 February 2002, of the revised statute of the **European Commission for Democracy through Law** (the "Venice Commission") which opens up new prospects for the Commission's future development, and also their positive assessment of the activities carried out by the **Group of States against Corruption** (GRECO) during its initial period of operation, an assessment which served as a basis for their decision, on 18 April 2002, to authorise the GRECO to continue operating on a permanent basis;
- expressed their appreciation of the support provided by the Lithuanian Chair for the Council of Europe's activities by hosting in Vilnius, successively, a regional conference in Vilnius on **transfrontier cooperation** in the context of EU enlargement (21-22 November 2001), a multilateral high-level meeting on European norms and standards with regard to **police ethics** (21-22 March 2002), a conference on **the role and functions of mediators in democratic countries** (5-6 April 2002), the 9th meeting of heads of offices for national minorities (25-26 April 2002) and a high-level conference on **access to an effective public health care system** (26-27 April 2002);
- noted with interest the continuation, through the colloquy held in Strasbourg on 18-19 April 2002 on "Europe tomorrow: shared fate or common political future?", of the reflection on **European identity** conducted by the Secretary General, in cooperation with the four "L" chairmanships.

10. After the session, in the afternoon of 3 May, Lydie Polfer, Minister of Foreign Affairs of Luxembourg, presented the Ministers' Deputies with the **programme of the Luxembourg Chair** of the Committee of Ministers (CM/Inf(2002)21).

11. The 111th Session of the Committee of Ministers will be held in Strasbourg on 6 and 7 November 2002.

Annex to the letter dated 13 May 2002 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General

Violations of 12 May 2002

0700	Two helicopters overflew the Shab'a farmlands.
1020	Two warplanes entered Lebanese airspace from the sea 5 nautical miles off Beirut and circled between Beirut, Sidon, Rashayya and Dahr al-Baydar.
1102	Two warplanes overflew the Shab'a area heading north
1142	Two warplanes heading south entered Lebanese airspace over the sea 11 nautical miles off Beirut.
1230	Warplanes overflew the South as far as Mount Lebanon and the Western Bekaa, dropping two unidentified objects into the sea between Khaldah and Na'imah.
1415	Twelve warplanes entered Lebanese airspace; four from Kafr Killa heading north; four from the sea off Sidon heading north; two from the sea five nautical miles off Jubayl heading east; and two from the sea off Beirut heading east. They circled over the Batrun, Cedars and Shikka area and over the sea.
1742	A reconnaissance aircraft heading north entered Lebanese airspace over the sea 11 nautical miles west of Tyre. It circled between Beirut and Sidon two nautical miles offshore.
1930	A reconnaissance aircraft overflew the Jazzin area.
1948	A reconnaissance aircraft heading north entered Lebanese airspace west of Sidon 10 nautical miles offshore. It circled between Beirut and Sidon two nautical miles offshore.
2110	Three helicopters entered Lebanese airspace 10 nautical miles off Rumaylah, Sidon and the Zahrani.
2130	Three Israeli gunboats were seen off Abu al-Aswad.
2130	Two helicopters entered Lebanese airspace over the sea west of Beirut.
2135	Eight warplanes heading east entered Lebanese airspace over the sea off Tyre.

Violations of 13 May 2002

0325	Nine Israeli aircraft, six warplanes and three slow-moving targets, entered Lebanese airspace. The warplanes, heading north, entered west of Tyre five nautical miles offshore, and the slow-moving targets, heading towards the shore, entered west of Na'imah.

Annex to the letter dated 15 May 2002 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General

Summary information on Israeli violations during the month of April 2002

In the air				*At sea*	*On the ground*			*Total*	*Remarks*
					Military attacks	*Field violations*	*Infringements*		
Jet fighters	Reconnaissance aircraft	Helicopters	Total	Violations of territorial waters and launching of flares	Air raids and bombardment of military outposts and important centres	Artillery bombardments, shooting and placement of installations inside Lebanese territory	Threats and brandishing of weapons, earthmoving and placement of concertina wire inside Lebanese territory		
34	22	4	60	11	11		-	86	Total violations in previous month: 31
									Table does not include violations in the occupied Shab'a farmlands and the Kafr Shuba hills area, a zone of military operations

United Nations A/56/945

General Assembly

Distr.: General
16 May 2002

Original: English

Fifty-sixth session
Agenda item 136
Financing of the United Nations Transitional Administration in East Timor

Financial performance report of the United Nations Transitional Administration in East Timor for the period from 1 July 2000 to 30 June 2001 and proposed budget of the United Nations Mission of Support in East Timor for the period from 1 July 2002 to 30 June 2003

Report of the Advisory Committee on Administrative and Budgetary Questions*

1. The Advisory Committee on Administrative and Budgetary Questions has considered the reports of the Secretary-General on the financial performance of the United Nations Transitional Administration in East Timor (UNTAET) for the period from 1 July 2000 to 30 June 2001 (A/56/922) and the proposed budget of the proposed successor mission, the United Nations Mission of Support in East Timor (UNMISET), for the period from 1 July 2002 to 30 June 2003 (A/56/932).

2. UNTAET was established by the Security Council in its resolution 1272 (1999) of 25 October 1999 for an initial period until 31 January 2001. By its resolution 1338 (2001) of 31 January 2001, the Council extended the mandate of UNTAET until 31 January 2002, stressed, among other things, the need for a substantial international presence in East Timor after independence and requested the Secretary-General to make detailed recommendations in that regard within six months of the adoption of the resolution. On 31 January 2002, by its resolution 1392 (2002), the Council decided to extend the mandate of UNTAET until the date of independence, 20 May 2002.

3. The Secretary-General has outlined plans for the successor mission to UNTAET in a number of reports to the Security Council, the latest of which is contained in document S/2002/432 and Add.1 (see also S/2001/719, S/2001/983 and Corr.1 and S/2002/80 and Corr.1). In his report to the Council, the Secretary-General proposed a mandate for the mission, as well as a comprehensive mandate implementation plan for the United Nations Mission of Support in East Timor (UNMISET) (S/2002/432, paras. 64 and 69-98). The proposed budget of UNMISET (A/56/932) is based on that plan and on the assumption that the Council would approve the plan, establish UNMISET and entrust it with the mandate outlined in the report of the Secretary-General to the Security Council. The Advisory Committee notes that the Security Council has yet to consider the Secretary-General's proposal. **The Committee considered the proposed budget of**

* The performance report for UNTAET and proposed budget for UNMISET were considered by the Advisory Committee on 9 and 10 May 2002 on the basis of advance texts in English. The Advisory Committee's draft report was approved by it on 16 May 2002 and sent for processing on that date.

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UNMISET on the basis of the above assumption and on the understanding that should modifications be made pursuant to decisions of the Security Council, the Secretary-General would report to the General Assembly no later than September 2002.

Financial performance report for the period from 1 July 2000 to 30 June 2001

4. By its resolution 55/228 A of 23 December 2000, the General Assembly appropriated an amount of $563 million gross ($546,051,600 net) for the operation of UNTAET for the period from 1 July 2000 to 30 June 2001, inclusive of the amount of $292,069,000 gross ($283,688,500 net) authorized by the Assembly in its resolution 54/246 C of 15 June 2000. As indicated in the report of the Secretary-General on the financial performance of UNTAET (A/56/922, para. 12), expenditures for the period totalled $527,587,900 gross ($513,143,900 net), inclusive of $191,803,400 in unliquidated obligations. In addition, budgeted voluntary contributions amounting to $60,000 were provided during the reporting period. The resulting unencumbered balance of $35,412,100 gross ($32,907,700 net) represents, in gross terms, approximately 6 per cent of the appropriation.

5. As indicated in annex II to the performance report, the unutilized balance was attributable primarily to reduced requirements under civilian personnel, premises/accommodation, infrastructure repairs, transport operations, naval operations, communications and other equipment, offset in part by additional requirements for consultants, general temporary assistance, air operations, supplies and services and air and surface freight.

6. The Advisory Committee points out that although the underexpenditure of $35,412,100 represents 6 per cent of the appropriation for the period, taken together with the $29.4 million reduction in the original estimate of $592.4 million (see A/55/443 and Corr.1-3), recommended by the Committee in its report of 30 October 2000 (A/55/531, para. 62), the percentage of originally requested resources that were not required amounts to approximately 11 per cent. In this connection, the Committee has noted a number of weaknesses related to budget formulation and implementation, as indicated below.

7. **Additional information provided to the Advisory Committee shows instances of shortcomings in the monitoring and recording of expenditures by the Secretariat.** For example, the Committee notes, in particular, that overexpenditures under military personnel for standard troop cost reimbursement ($2,594,300) and clothing and equipment allowance ($299,500) relate to excess obligations of $2.7 million and $310,000 respectively, which was revealed after the completion of comprehensive adjustments and revisions in troop strength reports relating to the previous financial period and the 2000/01 period. The Committee has commented on the need to improve the process of compiling and reporting on troop strength in its general report on peacekeeping operations (A/56/887, para. 32).

8. **The Advisory Committee is also of the view that the $19,024,000 shown in paragraph 15 (b) of the performance report as other income for the cancellation of prior period obligations indicates a tendency to obligate funds without an adequate analysis of the need for such obligations.**

9. The Advisory Committee was informed that the cash position of UNTAET as at 29 April 2002 amounted to $176.2 million and that unliquidated obligations for the period from 1 July 2000 to 30 June 2001 as at 31 March 2002 amounted to $81.5 million, of which $70.6 million was Government-related and $10.9 million was not. The Committee was also informed that the total amount assessed on Member States in respect of UNTAET since its inception amounted to $1,281.3 million, and that, as at 30 April 2002, payments received totalled $1,180.3 million, or approximately 92 per cent of the amount assessed. The Committee recalls that as at 30 June 2001, unliquidated obligations amounted to $109.8 million. One year later, the amount of unliquidated obligations still stands at $81.5 million, despite the fact that the cash position of UNTAET is so favourable.

10. **It appears to the Advisory Committee that the processing of liquidations for UNTAET takes an unduly long period of time, indicating a need to improve the process of reviewing and paying claims. This process should include both troop-contributing countries and the Administration. In this connection, the Committee recalls the recommendation of the Board of Auditors in its report on United Nations peacekeeping operations**

that the Administration intensify its efforts to address the delays in processing and certifying claims for payment to troop-contributing countries.[1]

11. The Advisory Committee was further informed that an amount of $208.7 million had been reimbursed for troop costs to troop-contributing countries for the period from 1 February 2000 to 31 January 2002, and that $14.6 million was owed for the period from 1 February to 31 March 2002. In respect of death and disability claims, as at 31 March 2002 an amount of $769,503 had been paid for 23 claims for the period ending 30 June 2002, unliquidated obligations amounted to $3.7 million, and 58 claims were pending.

12. The Advisory Committee was informed that, as at 29 April 2002, only $16.6 million had been reimbursed for contingent-owned equipment for the period ending 30 June 2002, while an estimated amount of $158.3 million was owed. Upon enquiry, the Committee was informed that this was due to delays in the signing of memorandums of understanding. **The efficiency of the processing of claims for contingent-owned equipment needs to be improved.**

13. **As indicated above, the performance report shows instances of substantial under- and overexpenditure. In the opinion of the Advisory Committee, the explanations as to the reasons therefor are not always satisfactory. Both under- and overexpenditures point to the need for better planning and, in some cases, improved efficiency in procurement and contract management.** In connection with the latter, the Committee was informed, for example, of an underexpenditure of $154,400 under alteration and renovation of premises owing to the non-implementation of three planned projects. Upon enquiry, the Committee was informed that the bidding and contracting processes could not be completed on time and that the projects were therefore not implemented. The Committee was also informed of an overexpenditure of $578,800 under premises and accommodation for maintenance supplies, but no adequate explanation was provided in the performance report.

14. In connection with procurement, the Advisory Committee notes that the unutilized balance of $6,010,300 under communications was due largely to the cancellation of the procurement of 1,100 mobile asset locator units for UNTAET vehicles (see A/56/922, annex II, para. 26). Upon enquiry, the Committee was informed that the implementation of the system had been abandoned because a pilot project had shown it to be very expensive. In this connection, the Committee recalls that the same thing had happened in the United Nations Mission in Ethiopia and Eritrea (see A/56/887/Add.9, para. 18). **In the opinion of the Committee, an adequate evaluation of the need for the system, as well as a market survey and technical assessment, should have been completed prior to a request being made for funds to implement the project.**

15. The Advisory Committee notes that the unspent balance of $12,366,600 under civilian police was attributable largely to lower average deployment of personnel during the reporting period, coupled with a reduction in the mission subsistence allowance rate from $109 to $95 per day effective 1 February 2001 (see A/56/922, annex II, para. 6). Savings of $6,775,100 under international and local staff were due primarily to a lower average grade level of international staff than was budgeted, higher than estimated vacancy rates for local staff (the average vacancy rate was 11 per cent, whereas a vacancy factor of 5 per cent had been budgeted) and lower requirements for common staff costs for mission appointees, offset in part by additional requirements for consultants, general temporary assistance and official travel.

16. As indicated in the performance report (A/56/922, annex II, para. 11), total requirements for general temporary assistance for the period amounted to $1,503,100 against an apportionment of $60,000. The Advisory Committee was informed that the overexpenditure of $1,443,100 was related to the employment of 880 short-term staff (365 security guards, 265 cleaners and 250 other building maintenance workers) to provide services to premises in Dili and in the 13 districts.

17. Under consultants, against the apportionment of $200,000, total requirements amounted to $3,087,000. The overexpenditure of $2,887,000 related to the hiring of 98 consultants in various fields of expertise in support of the East Timor Transitional Administration and UNTAET (ibid., para. 10). In addition, the overexpenditure of $1,217,800 under mission subsistence allowance includes $937,800 for the payment of mission subsistence allowance to consultants (ibid., para. 12). The total requirements for

contractual services amounted to $7,294,200, against an apportionment of $6,730,800; additional requirements of $563,400 related to the settlement of $1.7 million in outstanding charges related to the 1999/2000 financial period and to catering services for a 200-person transit camp, as well as medical treatment and services, data-processing services and bank charges (ibid., para. 31).

18. **The Advisory Committee is of the view that the overexpenditure cited above could have been avoided through better budget preparation. In this connection, the Committee recalls its comment in its general report on peacekeeping operations, in which it drew attention to the fact that, even though the General Assembly authorized the Secretary-General to exercise flexibility in implementing the overall budget of peacekeeping missions, that flexibility must be exercised in a manner that does not call into question the basis on which the initial estimates were prepared and submitted to the Assembly (A/56/887, para. 19).**

19. **The treatment of staff costs in both the performance report (A/56/922) and the proposed budget (A/56/932) should be reviewed to ensure that the procedures followed conform to United Nations practice.** Staff costs for posts in UNTAET have been charged to various objects of expenditure, including general temporary assistance, consultants and contractual services, as well as to international and local staff salaries. **The Committee points out that this practice weakens internal control and complicates accounting and reporting. The use of general temporary assistance for ongoing functions is a departure from the purposes for which it is intended, namely, to handle brief periods of peak workload and to replace staff on maternity and sick leave. Similarly, consultants are to provide specific expertise that is not otherwise available through the use of United Nations staff within a prescribed time frame.**

20. The Advisory Committee notes the overexpenditure of $1,057,200 for official travel (A/56/922, annex II, para. 13). **The amount of travel undertaken during the reporting period appears to the Committee to be excessive, especially travel from Headquarters (see also para. 48 below).**

21. The Advisory Committee notes the underexpenditure of $1.9 million for United Nations Volunteers (ibid., para. 14), owing to the slower than expected deployment of Volunteers, resulting in an average vacancy rate of 32 per cent. **In view of the fact that the use of United Nations Volunteers is resorted to precisely when there is a need to deploy quickly, the delayed deployment should have been explained fully.**

22. The Advisory Committee notes the considerable underutilization of flying hours reported for both helicopters and fixed-wing aircraft. Of a total of 13,875 planned hours for 22 helicopters, actual hours flown totalled 12,381 for 21 helicopters, representing 89 per cent utilization of planned hours; of 4,500 planned hours for five fixed-wing aircraft, a total of 3,146 hours were flown, representing 70 per cent utilization (ibid., paras. 21-22); (see also para. 44 below).

23. The action to be taken by the General Assembly in connection with the financing of UNTAET for the period from 1 July 2000 to 30 June 2001 is indicated in paragraph 15 of the performance report. **The Advisory Committee recommends that the unencumbered balance of $35,412,100 gross ($32,907,700 net) for the period from 1 July 2000 to 30 June 2001, as well as interest and other income in the amount of $29,140,000, be credited to Member States in a manner to be determined by the General Assembly.**

Information on performance for the current period

24. The Advisory Committee was provided with expenditure data for the period from 1 July 2001 to 30 June 2002 (see annex I). As at 31 March 2002, expenditure for the period amounted to $401,154,900, against an apportionment of $455,000,000 (excluding provisions for the support account for peacekeeping operations and the United Nations Logistics Base at Brindisi, Italy).

25. The Advisory Committee was also provided with information concerning positions encumbered as at 30 April 2002, which is set out in the accompanying table.

Category	*Authorized*	*Encumbered*	*Vacancy rate (percentage)*
Military contingents	8 950	6 506	27[a]
Military observers[b]	200	120	40[a]
Civilian police	1 350	1 041	23
Civilian police (formed units)[c]	290	239	18
International staff	1 210	695	43
Local staff	2 021	1 717	15
United Nations Volunteers	700	600	14

[a] Delayed deployment rate.

[b] The budget was based on a phased reduction to 120 by 30 June 2001.

[c] Vacancy relates to the non-deployment since inception of a 50-person marine police unit.

Cost estimates for the period from 1 July 2002 to 30 June 2003

26. As indicated in the proposed budget of the United Nations Mission of Support in East Timor (A/56/932, para. 1), estimated requirements for the Mission are based on the mandate implementation plan for the successor mission, as outlined in the report of the Secretary-General to the Security Council dated 17 April 2002 (S/2002/432 and Add.1) and on the assumption that the Security Council would approve the plan, establish UNMISET and entrust it with a mandate as described in the report (see also para. 3 above and A/56/932, paras. 5-13). Accordingly, as indicated in paragraph 3 above, the present report of the Advisory Committee is based on the same assumption.

27. The proposed mandate of the United Nations Mission of Support in East Timor is: (a) to provide assistance that is crucial for the stability of East Timor and the viability of its emergent public administration; (b) to assist in the development of a law enforcement agency in East Timor operating in accordance with international human rights standards; and (c) to contribute to the maintenance of external and internal security (see S/2002/432, para. 64). The Secretary-General also proposes a mandate implementation plan consisting of three key programmes: stability, democracy and justice; internal security and law enforcement; and external security and border control (ibid., sect. III.A). The Mission would ensure that all operational responsibilities were fully devolved to the East Timorese authorities through a phase-out process to be carried out over a two-year period (ibid., annexes I-IV).

28. The proposed budget for the operation of UNMISET for the period from 1 July 2002 to 30 June 2003 amounts to $318,490,200 gross ($309,254,400 net), inclusive of budgeted voluntary contributions in kind in the amount of $60,000. This amount represents a 30-per-cent decrease ($136.6 million) in gross terms in relation to the apportionment of $455 million approved by the General Assembly in its resolution 56/249 of 24 December 2001 for the operation of UNTAET for the period from 1 July 2001 to 30 June 2002. The proposed budget reflects decreases of $63,143,500, or 32 per cent, in military personnel costs; $56,810,800, or 35.6 per cent, in civilian personnel costs; $11,965,800, or 14.3 per cent, in operational requirements; $1,305,100, or 74.1 per cent, under other programmes; and $3,344,600, or 26.6 per cent, under staff assessment (see A/56/932, paras. 2 and 3 and table 1).

29. The Mission would be headed by the Special Representative of the Secretary-General, assisted by a Deputy Special Representative who would also be the Resident Coordinator of the United Nations Development Programme in East Timor. The Mission would include civilian, police and military components. The headquarters of UNMISET would be located in Dili, with regional offices to be maintained in Dili, Baucau, Oecussi, Maliana and Suai. Liaison offices in Denpasar and Jakarta and the logistical/administrative rear base in Darwin, Australia, would also be maintained. The Office of the Special Representative would include focal points for gender affairs and HIV/AIDS. The civilian component would comprise a group of experts to provide assistance to the emergent Government (the Civilian Support Group), a Serious Crimes Unit and a Human Rights Unit (see ibid., para. 13).

30. **The Advisory Committee commends the Secretariat and UNTAET for the efforts they have made to formulate an implementation plan and an exit strategy. In this connection, the Committee recognizes the difficult circumstances under which the budget for UNMISET has been prepared. Nevertheless, it is of the opinion that more could have been done to translate the implementation plan set out in document S/2002/432 and Add.1 into**

an operational budget. For example, the Committee notes that the estimates contain no overall plan for the drawdown of civilian staff.[2] In this connection, the Committee recalls its previous comment that the provision of detailed plans to the Security Council does not obviate the need to fully justify resource requirements in documentation submitted to the General Assembly (A/56/7/Add.8, para. 6).

31. The proposed budget for the downsizing of the peacekeeping force in four phases over two years, ending in June 2004. The budget period under review would cover two phases, which reflect the phased reduction of the military component from 5,000 personnel, including 120 military observers, in July 2002 to 3,870 personnel by December 2002 (A/56/932, para. 11). Upon request, the Advisory Committee was provided with details concerning the planned deployment of military personnel for the period from 1 July 2002 to 30 June 2003 (see annex II below and S/2002/432, annex IV). The Committee notes from the report of the Secretary-General to the Security Council that the target strength of the East Timor Defence Force is 1,500 regular soldiers, supported by a reserve of a further 1,500 (see S/2002/432, para. 23).

32. Initially, the civilian police component would comprise 1,010 personnel, to be gradually reduced to 500 by the end of the budget period, with the progressive development of the East Timorese Police Service (see A/56/932, para. 10 and annex I.C, para. 9, and S/2002/432, annex III).

33. The estimated requirement of $102,770,800 under civilian personnel costs represents a decrease of $56,810,800, or 35.6 per cent, as compared with the apportionment for UNTAET for the period ending 30 June 2002 and provides for a total of 1,673 civilian personnel (455 international staff, 977 local staff and 241 United Nations Volunteers), which is a reduction of 2,258 posts (755 international staff, 1,044 local staff and 459 United Nations Volunteers) as compared with the current authorized level for UNTAET (see A/56/932, table 1 and sect. VIII).

34. **The Advisory Committee stresses the importance of the conclusion of a formal agreement between the United Nations and independent East Timor with respect to the expectation that the Mission would end as proposed by the Secretary-General and approved by the Security Council. In this connection, the Committee was informed that two agreements were under preparation, on the executive police function and on the peacekeeping military function, to be signed upon independence on 20 May. The Committee welcomes this development.**

35. The proposed establishment of the Civilian Support Group, comprising 100 experts/advisers who would provide support and guidance to the Government in such areas as financial and central services, internal systems in various ministries, essential services and the legal/justice systems is explained in paragraphs 8, 28 and 29 of the proposed budget. The Civilian Support Group is to comprise 8 United Nations Volunteers and 92 experts at a cost of approximately $12.9 million.

36. Of the 92 experts/advisers, 24 are included in the cost estimate for consultants at an estimated cost of $3.6 million, and 68 are included under general temporary assistance at an estimated cost of $9.1 million. The Advisory Committee was informed that the estimated cost of the 8 United Nations Volunteers was $252,300. Five of the experts are to be co-funded by the International Monetary Fund. **While the Committee considers appropriate the funding of experts under the budget item for consultants, it questions the use of general temporary assistance funds, which are intended to be used for periods of peak workload and for the replacement of staff on maternity and sick leave (see para. 19 above).**

37. The Advisory Committee notes from the report of the Secretary-General to the Security Council that the recruitment of the 100 experts/advisers for the Civilian Support Group is under way (see S/2002/432, paras. 71 and 72). The Committee was informed that 66 candidates had been identified for recruitment. Upon request, the Committee was provided with a list of functional titles and indicative levels of the experts/advisers (see annex III).

38. The establishment of an office comprising one P-4, two P-3 and one General Service (Other level) posts is proposed to manage the Civilian Support Group (see A/56/932, paras. 8 and 29 and annex V.A). **The Advisory Committee questions the necessity of establishing a special unit within UNMISET to manage the Civilian Support Group.**

39. The Advisory Committee notes that the increase in the staffing of the Serious Crimes Unit, the Public Defender's Office and Special Panels (formerly the Serious Crimes Unit) from 24 to 60 posts would reflect

the consolidation of judges, prosecutors, public defenders and other specialists working on serious crimes into one group (see ibid., paras. 24 and 27). A description of the progress of work of the unit is given in the report of the Secretary-General to the Security Council (S/2002/432, paras. 34 and 35). **The Committee commends the Mission for its achievements in this area and requests that an assessment of lessons learned be made for the benefit of other missions.**

40. **The Advisory Committee recommends that the Mission begin work as soon as possible on lessons learned, and suggests that, in addition to the assessment to be made in connection with paragraph 39 above, areas to be looked at could include gender mainstreaming and preparations for handing over public information activities.**

41. The Advisory Committee notes that the staffing of the Human Rights Unit is to be reduced from 58 to 30 posts, and that the Unit is to have field presence. Proposed activities of the Unit are outlined in the report of the Secretary-General to the Security Council (see A/56/932, para. 24 and S/2002/432, para. 67).

42. The authorized staffing of the Division of Administration of UNTAET for the current period is 2,449. **The administrative component of UNMISET, proposed at 1,321 (see A/56/932, sect. VIII), appears to the Advisory Committee to be unduly large and should be reviewed so as to achieve greater efficiency.**

43. Upon enquiry concerning the proposed increase of 43 United Nations Volunteers for the Division (ibid., paras. 21 and 34), the Advisory Committee was informed that this was related to the withdrawal of the Force Logistics Squadron provided by the Australian contingent, comprising 145 personnel. **The Committee is of the opinion that, in a mission that is downsizing, such withdrawal of personnel could have been compensated for without additional personnel.**

44. With regard to air operations, the Advisory Committee observes that the proposed changes in the aircraft fleet are minimal. For the current period, the UNTAET fleet consists of 21 helicopters and 4 fixed-wing aircraft; the proposal for UNMISET is for 19 helicopters, to be reduced to 17 for the period from January to June 2003, and 2 fixed-wing aircraft (see ibid., annex I.C, para. 30). The Committee was provided with details concerning air operations costs and estimated flight hours for both UNTAET and UNMISET (see annex IV). **The Committee recommends that, in order to maximize efficiency, the composition of the air fleet, including the need for heavy-lift capability, be kept under review. In addition, in view of the underutilization of flying hours consistently reported for UNTAET (see para. 22 above), the Committee is of the opinion that the estimate for air operations ($43,069,800) could be adjusted downward.**

45. The proposed vehicle fleet for UNMISET is 950 United Nations vehicles and 1,257 contingent-owned vehicles (see A/56/932, annex I.C, para. 27). It appears to the Advisory Committee that the ratios used by the Mission to determine the size of fleet needed have resulted in the excessive retention of vehicles. **The estimate for transport operations ($5,088,700) could therefore be adjusted downward.**

46. The Advisory Committee notes that the estimate of $209,000 for training of 192 Mission personnel (see ibid., para. 46) represents an increase of 68 per cent over the provision for UNTAET for the period ending 30 June 2002. **In this connection, the Committee questions such an increase and recalls its statement in its general report on peacekeeping operations that it remained concerned about what appeared to be unwarranted overexpenditure in training activities in some missions, even in cases where the mission should begin to plan to downsize (A/56/887, para. 74).**

47. The Advisory Committee notes that an amount of $685,400 is estimated for other travel (see A/56/932, annex II.A, item 18). **Bearing in mind its comments on the performance report in paragraph 18 above, the Committee expects that strict controls will result in savings.**

48. The Advisory Committee notes that, travel costs for civilian police are estimated at $2,250 per one-way trip (see ibid., item 2). The performance report for UNTAET for the period from 1 July 2000 to 30 June 2001 showed that travel costs for civilian police had been overestimated for the period. According to the additional information provided to the Committee, the actual cost of one-way travel was $1,045. **This expenditure should be carefully monitored.**

49. The Advisory Committee also notes that estimated requirements for data-processing services

have increased substantially, from $20,833 per month to $37,167 (see ibid., item 49). **The reasons for this increase should be provided to the Fifth Committee.**

50. The estimate for communications costs has increased from $3.9 million to $4.1 million (see ibid., annex I). Within that estimate, the cost of a new transponder lease is estimated at $15,417 per month (ibid., annex II.A, item 45). **The Advisory Committee requests that clarification of that requirement be provided to the Fifth Committee.** Also under commercial communications, local telephone charges have increased from $1,677 to $12,000 per month. Upon enquiry, the Committee was informed that the item had previously been underbudgeted.

51. The Advisory Committee notes that the estimate for hire/charter costs under naval operations has increased from $1.09 million to $1.10 million, owing to a change in contract (ibid., item 43). Upon enquiry, the Committee was informed that the previous vendor had reneged on services and that the contract had had to be cancelled. The Committee enquired as to whether any penalty had been incurred, but received no clear answer. **The Committee requests that this information be provided to the Fifth Committee.**

52. The action to be taken by the General Assembly in connection with the financing of UNMISET for the period from 1 July 2002 to 30 June 2003 is indicated in paragraph 4 of the proposed budget. **Taking into account its comments and observations in the present report, in particular paragraphs 38 and 42 to 47, the Advisory Committee recommends the appropriation and assessment of an amount of $292 million gross for the operation of UNMISET for the period from 1 July 2002 to 30 June 2003, subject to a decision of the Security Council regarding the mandate of the Mission. The recommended amount reflects a reduction of 8 per cent of the amount proposed by the Secretary-General. The Committee also recommends approval of the use for UNMISET of the special account established for UNTAET.**

Notes

[1] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 5* (A/56/5), vol. II, chap. II, para. 83.

[2] Upon enquiry, the Advisory Committee was informed that implementation plans were under preparation for the Serious Crimes and the Human Rights Units. Information on the phasing down of the Civilian Support Group is contained in annex II to the report of the Secretary-General to the Security Council (S/2002/432 and Add.1).

Annex I

United Nations Transitional Administration in East Timor: status of expenditures for the period from 1 July 2001 to 30 June 2002 (as at 31 March 2002)

(Thousands of United States dollars)

Category of expenditures		*Apportionment*[a]	*Unliquidated obligations*	*Expenditures*	*Unencumbered balance*
I.	**Military personnel**	197 502.3	95 208.1	188 031.9	**9 470.4**
II.	**Civilian personnel**	159 581.6	2 699.8	127 260.5	**32 321.1**
III.	**Operational requirements**				
	Premises/accommodation	3 542.4	554.1	4 358.0	(815.6)
	Infrastructure repairs	1 700.0	618.8	1 072.2	627.8
	Transport operations	5 469.2	689.4	5 420.9	48.3
	Air operations	54 268.0	16 598.7	47 491.6	6 776.4
	Naval operations	710.5	151.3	659.2	51.3
	Communications	3 888.0	740.7	2 661.5	1 226.5
	Other equipment	1 013.2	112.7	708.6	304.6
	Supplies and services	10 882.4	3 983.0	9 215.8	1 666.6
	Air and surface freight	2 100.0	424.8	2 600.6	(500.6)
	Subtotal, category III	**83 573.7**	**23 873.5**	**74 188.4**	**9 385.3**
IV.	**Other programmes**				
	Election-related supplies and services	1 200.0	22.4	802.3	397.7
	Public information programmes	430.0	95.2	243.1	186.9
	Training programmes	132.0	5.4	101.2	30.8
	Mine-clearing programmes	-	-	-	-
	Assistance for disarmament and demobilization	-	-	-	-
	Subtotal, category IV	**1 762.0**	**123.0**	**1 146.6**	**615.4**
V.	**United Nations Logistics Base at Brindisi**	-	-	-	-
VI.	**Support account for peacekeeping operations**	-	-	-	-
VII.	**Staff assessment**	12 580.4	-	10 527.5	2 052.9
	Total, categories I-VII	**455 000.0**	**121 904.4**	**401 154.9**	**53 845.1**
VIII.	**Income from staff assessment**	(12 580.4)	-	(10 527.5)	(2 052.9)
	Net total	**442 419.6**	**121 904.4**	**390 627.4**	**51 792.2**
IX.	**Voluntary contributions in kind (budgeted)**	60.0	-	60.0	-
	Total resources	**455 060.0**	**121 904.4**	**401 214.9**	**53 845.1**

[a] Exclusive of provisions for the support account for peacekeeping operations and the United Nations Logistics Base at Brindisi, Italy.

Annex II

United Nations Mission of Support in East Timor: planned deployment of military personnel for the period from 1 July 2002 to 30 June 2003

Category	*Planned deployment of personnel*											
	31 July	*31 Aug.*	*30 Sept.*	*31 Oct.*	*30 Nov.*	*31 Dec.*	*31 Jan.*	*28 Feb.*	*31 March*	*30 April*	*31 May*	*30 June*
Military personnel												
Military observers	120	120	120	120	120	120	120	120	120	120	120	120
Military contingents												
Infantry	3 520	3 520	3 520	3 520	3 520	2 730	2 730	2 730	2 730	2 730	2 730	2 730
Support	1 210	1 210	1 210	1 210	1 210	900	900	900	900	900	900	900
Other	150	150	150	150	150	120	120	120	120	120	120	120
Subtotal	**4 880**	**4 880**	**4 880**	**4 880**	**4 880**	**3 750**	**3 750**	**3 750**	**3 750**	**3 750**	**3 750**	**3 750**
Total	**5 000**	**5 000**	**5 000**	**5 000**	**5 000**	**3 870**	**3 870**	**3 870**	**3 870**	**3 870**	**3 870**	**3 870**

Annex III

United Nations Mission of Support in East Timor
Civilian Support Group

	Functional title	*Office*	*Indicative level*
1	Senior Adviser to Cabinet Secretary	Council of Ministers	P-4
2	Legal Officer	Council of Ministers	P-3
3	Adviser to Prime Minister for Economic Planning	Office of the Prime Minister	P-5
4	Adviser to Prime Minister for Donor Coordination	Office of the Prime Minister	P-4
5	Policy/Administrative Officer	Office of the Prime Minister	P-3
6	General Manager[a]	Banking and Payments Authority	D-2
7	Deputy General Manager/Supervision[a]	Banking and Payments Authority	D-1
8	Deputy General Manager/Payments[a]	Banking and Payments Authority	D-1
9	Chief Accountant[a]	Banking and Payments Authority	D-1
10	Economist	Banking and Payments Authority	P-4
11	Accounting Officer	Banking and Payments Authority	P-4
12	Vault Custodian	Banking and Payments Authority	UNV
13	Settlements Supervisor	Banking and Payments Authority	P-4
14	Network Specialist	Banking and Payments Authority	P-4
15	Commissioner of Revenue[a]	Ministry of Finance	D-1
16	Deputy Commissioner of Revenue (Large Business)	Ministry of Finance	P-5
17	Tax Counsel of Revenue	Ministry of Finance	P-5
18	Adviser to Deputy Commissioner of Revenue (Operations)	Ministry of Finance	P-5
19	Tax Adviser/Large Business	Ministry of Finance	P-4
20	Tax Adviser/Compliance Audit	Ministry of Finance	P-4
21	Tax Adviser/Legal	Ministry of Finance	P-4
22	Controller of Customs	Ministry of Finance	D-1
23	Deputy Controller (Internal Affairs)	Ministry of Finance	P-4
24	Deputy Controller (Operations)	Ministry of Finance	P-4
25	Director of Treasury (Accountant General)	Ministry of Finance	D-1
26	Head, Budget Execution and Cash Management	Ministry of Finance	P-3
27	Head, Accounts and Payments	Ministry of Finance	P-4
28	Head, Debt and Asset Management	Ministry of Finance	P-3
29	Head, Internal Audit and Control	Ministry of Finance	P-4
30	Financial Analyst and Budget Control Officer	Ministry of Finance	P-3
31	National Budget Unit Officer	Ministry of Finance	P-3
32	Head, Agency Finance	Ministry of Finance	P-4
33	Accounting Operations Officer	Ministry of Finance	P-3
34	Central Payments and Revenue Officer	Ministry of Finance	P-3
35	Head, Central Payroll Unit	Ministry of Finance	P-3
36	District Finance Coordinator	Ministry of Finance	P-3
37	Adviser to Chief of Procurement	Ministry of Finance	P-5
38	Contracts Administration Adviser	Ministry of Finance	P-4
39	Procurement Adviser (Property)	Ministry of Finance	P-3
40	Procurement Adviser (Goods and Services)	Ministry of Finance	P-3
41	Supply Adviser	Ministry of Finance	P-3
42	Network Manager (Head of Information Technology Division)	Ministry of Finance	P-3

	Functional title	*Office*	*Indicative level*
43	Network Specialist	Ministry of Finance	P-2
44	Network Specialist	Ministry of Finance	UNV
45	Network Specialist	Ministry of Finance	UNV
46	Adviser to the Director of Budget	Ministry of Finance	P-5
47	Director of Administration	Ministry of Finance	D-1
48	Senior Legal Adviser	Ministry of Justice	P-5
49	Executive Secretary	Ministry of Justice	P-3
50	Finance/Administration Officer	Ministry of Justice	P-3
51	Prisons Adviser	Ministry of Justice	P-5
52	Land and Property Adviser	Ministry of Justice	P-5
53	Registry and Notary Adviser	Ministry of Justice	P-4
54	Court of Appeals Judge	Ministry of Justice	P-5
55	Court of Appeals Judge	Ministry of Justice	P-5
56	Public Prosecutor	Ministry of Justice	P-5
57	Court Clerk	Ministry of Justice	P-3
58	Court Clerk	Ministry of Justice	P-3
59	Public Defender	Ministry of Justice	P-4
60	Adviser to Legislative Assembly	Assembly	P-5
61	Adviser to Director General	Ministry of Internal Administration	P-5
62	Adviser for Immigration	Ministry of Internal Administration	P-4
63	Adviser for Local Government	Ministry of Internal Administration	P-5
64	Adviser for Public Administration	Ministry of Internal Administration	P-4
65	Adviser for the Public Service Academy	Ministry of Internal Administration	P-5
66	District Adviser (Oecussi)	Ministry of Internal Administration	P-4
67	District Adviser	Ministry of Internal Administration	UNV
68	District Adviser	Ministry of Internal Administration	UNV
69	District Adviser	Ministry of Internal Administration	UNV
70	District Adviser	Ministry of Internal Administration	UNV
71	Finance/Administration Officer	Ministry of Internal Administration	P-4
72	Adviser to Director General	Ministry for Communication and Transport	P-5
73	Land Transport Manager	Ministry for Communications and Transport	P-4
74	Director, Civil Aviation	Ministry for Communications and Transport	P-5
75	Airport Specialist	Ministry for Communications and Transport	P-4
76	Air Traffic Specialist	Ministry for Communications and Transport	P-4
77	Harbour Master	Ministry for Communications and Transport	P-4
78	Port Operations Manager	Ministry for Communications and Transport	P-5
79	Ship Pilot	Ministry for Communications and Transport	P-3
80	Adviser to Director General	Ministry for Economic Affairs and Planning	P-5
81	Non-renewable Energy Adviser	Ministry for Economic Affairs and Planning	P-5
82	Adviser, Power/Electricity	Ministry for Economic Affairs and Planning	P-4
83	Engineering Manager (Electrical)	Ministry for Economic Affairs and Planning	P-3
84	Engineering Manager (Mechanical)	Ministry for Economic Affairs and Planning	P-3
85	Finance/Administration Officer	Ministry for Economic Affairs and Planning	UNV
86	Senior Adviser	Office of the Ombudsperson	P-5
87	Senior Investigator	Office of the Ombudsperson	P-4
88	Inspector	Office of the Ombudsperson	P-3
89	Adviser to the Minister	Ministry for Water and Public Works	D-1
90	Adviser, Public Works	Ministry for Water and Public Works	P-5

	Functional title	*Office*	*Indicative level*
91	Adviser, Water and Sanitation	Ministry for Water and Public Works	P-4
92	Adviser, Roads	Ministry for Water and Public Works	P-5
93	Adviser, Housing and Urban Planning	Ministry for Water and Public Works	P-4
94	Adviser, Material Testing	Ministry for Water and Public Works	P-3
95	Adviser, Administration and Finance	Ministry for Water and Public Works	P-4
96	National Education Programme Adviser	Ministry of Education	D-1
97	Adviser for Administration and Finance	Ministry of Education	P-4
98	Finance/Administration Officer	Ministry of Agriculture and Fisheries	P-3
99	Finance/Administration Officer	Ministry of Labour and Social Affairs	P-3
100	Adviser to the Director General	Ministry of Health	P-5

UNV, United Nations Volunteers.

[a] To be identified from the International Monetary Fund under a cost-sharing arrangement.

Annex IV

Air operations costs and estimated flight hours for UNTAET and UNMISET

A. Air operations costs for UNTAET for the period from 1 July 2001 to 30 June 2002 and for UNMISET for the period from 1 July 2002 to 30 June 2003

(Thousands of United States dollars)

Type of aircraft	Hire/charter costs			Fuel and lubricants[a]			Other related costs[b]		
	UNTAET	UNMISET	Variance	UNTAET	UNMISET	Variance	UNTAET	UNMISET	Variance
Helicopters									
Military light									
Alouette III	870 804	918 324	47 520	85 536	93 555	8 019	39 000	40 500	1 500
Bell 206	1 670 400	1 670 400	-	253 901	277 704	23 803	39 000	40 500	1 500
Lama	720 000	-	(720 000)	67 584	-	(67 584)	13 000	-	(13 000)
Military, medium									
UH-1H	1 410 816	1 410 816	-	270 336	295 680	25 344	52 000	54 000	2 000
Puma[c]	6 096 000	3 408 000	(2 688 000)	460 800	201 600	(259 200)	26 000	27 000	1 000
Commercial, medium									
Bell 212 AME	2 519 760	-	(2 519 760)	124 032	-	(124 032)	13 400	-	(13 400)
Bell 412	-	5 081 640	5 081 640	-	292 740	292 740	-	8 000	8 000
MI-8 MTV	5 172 000	5 172 000	-	860 160	940 800	80 640	250 000	16 000	(234 000)
Super Puma	6 593 760	-	(6 593 760)	339 456	-	(339 456)	6 000	-	(6 000)
Commercial, medium									
MI-26	6 099 840	6 099 840	-	1 044 480	873 600	(170 880)	8 000	4 000	(4 000)
Total	**31 153 380**	**23 761 020**	**(7 392 360)**	**3 586 285**	**2 975 679**	**(530 686)**	**446 400**	**190 000**	**(256 400)**
Fixed-wing aircraft									
Light, utility									
Westwind 1124	1 034 700	-	(1 034 700)	211 200	-	(211 200)	183 950	-	(183 950)
Medium									
DHC-7-102	2 400 000	4 800 000	2 400 000	337 920	924 000	586 080	361 000	168 000	(193 000)

Type of aircraft	Hire/charter costs			Fuel and lubricants[a]			Other related costs[b]		
	UNTAET	UNMISET	Variance	UNTAET	UNMISET	Variance	UNTAET	UNMISET	Variance
Heavy									
L-100	5 784 100	-	(5 784 100)	1 094 400	-	(1 094 400)	128 300	-	(128 300)
Total	**9 218 800**	**4 800 000**	**(4 418 800)**	**1 643 520**	**924 000**	**(719 520)**	**673 250**	**168 000**	**(505 250)**

[a] At a fuel cost of $0.32 per litre for the 2001/02 period and at $0.35 per litre for the 2002/03 period.
[b] Relates to painting, preparation, positioning costs and insurance.
[c] For the six-month period from 1 July to 31 December 2002 only.

B. Flight hours for UNTAET for the period from 1 July 2001 to 30 June 2002 and for UNMISET for the period from 1 July 2002 to 30 June 2003

Type of aircraft	UNTAET				UNMISET				Variance		Purpose
	Number	Block hours (each)	Extra hours (each)	Total hours	Number	Block hours (each)	Extra hours (each)	Total hours	Aircraft	Flight hours	
Helicopters											
Military light											
Alouette III	3	33	-	1 188	3	33	-	1 188	-	-	Based in Dili, daytime reconnaissance and small-group movement of personnel throughout the mission area.
Bell 206	3	58	-	2 088	3	58	-	2 088	-	-	Based in Suai; daytime/night-time border monitoring and reconnaissance in Sector West.
Lama	1	80	-	960	-	-	-	-	(1)	(960)	
Military, medium											
UH-1H	4	44	-	2 112	4	44	-	2 112	-	-	Based in Suai; peronnel movement and resupply in Sector West.
Puma[a]	2	80	-	1 920	2	80	-	960	-	(960)	Based in Dili; personnel movement and resupply in Sector Central; rapid-response troop movement.
Commercial, medium											
Bell 212 AME	1	45	40	1 020	-	-	-	-	(1)	(1 020)	

Type of aircraft	UNTAET Number	UNTAET Block hours (each)	UNTAET Extra hours (each)	UNTAET Total hours	UNMISET Number	UNMISET Block hours (each)	UNMISET Extra hours (each)	UNMISET Total hours	Variance Aircraft	Variance Flight hours	Purpose
Bell 412	-	-	-	-	2	45	40	2 040	2	2 040	Based in Dili; daytime/night-time medical evacuation and reconnaissance.
MI-8 MTV	4	40	30	3 360	4	40	30	3 360	-	-	Based in Dili; routine passenger and cargo movement throughout the mission area.
Super Puma	2	45	40	2 040	-	-	-	-	(2)	(2 040)	
Commercial, medium											
MI-26	1	40	40	960	1	40	40	960	-	-	Based in Dili; heavy lift cargo and passenger movement, including movement of heavy engineering equipment.
Total	**21**	**465**	**150**	**15 648**	**19**	**340**	**110**	**12 708**	**(2)**	**(2 940)**	
Fixed-wing aircraft											
Light, utility											
Westwind 1124	1	25	25	600	-	-	-	-	(1)	(600)	
Medium											
DHC-7-102	1	50	50	1 200	2	50	50	2 400	1	1 200	Based in Dili; large-group movement of personnel and cargo between Dili, Baucau, Darwin and Oecussi; medical evacuations to Darwin.
Heavy											
L-100	2	50	40	2 160	-	-	-	-	(2)	(2 160)	
Total	**4**	**125**	**115**	**3 960**	**2**	**50**	**50**	**2 400**	**(2)**	**(1 560)**	

[a] For the six-month period from 1 July to 31 December 2002 only.

United Nations A/56/946

General Assembly

Distr.: General
17 May 2002

Original: English

Fifty-sixth session
Agenda item 142
Financing of the United Nations Mission for the Referendum in Western Sahara

Financing of the United Nations Mission for the Referendum in Western Sahara

Report of the Advisory Committee on Administrative and Budgetary Questions*

1. The Advisory Committee on Administrative and Budgetary Questions has considered the reports of the Secretary-General on the financial performance of the United Nations Mission for the Referendum in Western Sahara (MINURSO) for the period from 1 July 2000 to 30 June 2001 (A/56/818) and on the proposed budget for the Mission for the 12-month period from 1 July 2002 to 30 June 2003 (A/56/826). During its consideration of the reports, the Committee met with representatives of the Secretary-General, who provided additional information.

2. By its resolution 690 (1991) of 29 April 1991, the Security Council established MINURSO for an initial period of six months. Since then, its mandate has been extended by the Council in various resolutions, the latest of which was resolution 1406 (2002) of 30 April 2002, by which the Council extended the mandate of the Mission until 31 July 2002 in order to consider further the report of the Secretary-General of 19 February 2002 (S/2002/178).

3. The Advisory Committee points out that, in his report of 19 February, the Secretary-General presented four options for consideration before the Council (S/2002/178, paras. 48-51), any one of which, if approved by the Council, may, in the view of the Committee, impact significantly on resource requirements for the Mission during the financial period 2002/2003. The Committee notes that the proposed budget for MINURSO (A/56/826) is based on the Mission's maintenance requirements and reflects resource reduction associated with the suspension of the activities of the Identification Commission. **The Advisory Committee considered the proposed budget of MINURSO on the understanding that, should modifications be made pursuant to decisions of the Security Council, the Secretary-General would report to the General Assembly no later than September 2002.**

Financial performance report for the period from 1 July 2000 to 30 June 2001

4. The General Assembly, by its resolution 54/268 of 15 June 2000, appropriated an amount of $49,317,037 gross ($45,078,102 net) for the

* The performance report and proposed budget for MINURSO were considered by the Advisory Committee on 15 May 2002. The Advisory Committee approved the draft report on 17 May 2002 and sent it for processing on that date.

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maintenance of MINURSO for the period from 1 July 2000 to 30 June 2001, inclusive of the amount of $2,339,659 for the support account and the amount of $365,778 for the United Nations Logistics Base at Brindisi, Italy. Expenditures for the period totalled $45,989,300 gross ($42,215,900), resulting in an unutilized balance of $3,327,737 gross ($2,862,202 net) or 7 per cent of the total appropriation. Full reported expenditure amounted to $49,660,000, including $3,670,000 in voluntary contributions.

5. The unutilized balance of $3,327,700 resulted from reduced requirements under military personnel ($306,200), civilian personnel ($2,452,700), operational requirements ($89,100), other programmes ($14,200) and staff assessment ($465,500).

6. The Advisory Committee notes that the largest reduction in resource requirements falls under civilian personnel. As indicated in the performance report (A/56/818, annex II, paras. 6 and 7), the reduction is mainly due to higher than budgeted vacancy rates for civilian police and international staff. The Committee was informed that the reason for the reduction in resource requirements stems from the suspension of the activities of the Identification Commission and its support staff, inclusive of the Civilian Police, whose duties are connected with that of the Identification Commission.

7. In connection with operational requirements, the Advisory Committee notes from the performance report (ibid., paras. 14 and 15) that there was an overexpenditure of $1,031,500 under air operations. **The Committee notes the lack of adequate explanation for the overexpenditure and requests that future performance reports for the Mission contain detailed justifications for significant variances in budget implementation.**

8. The action to be taken by the General Assembly in connection with the financing of MINURSO for the period from 1 July 2000 to 30 June 2001 is indicated in the performance report (A/56/818, para. 10). **The Advisory Committee recommends that the unencumbered balance of $3,327,737 gross ($2,862,202 net) for the period from 1 July 2000 to 30 June 2001 be credited to Member States in a manner to be decided by the General Assembly.**

Information on performance for the current period

9. The Advisory Committee was informed that, as at 31 March 2002, the amount of $6.5 million had been reimbursed for troop costs for the period from 1 September 1991 to 31 January 2002 and that the amount owed for the period from 1 February 2002 to 30 April 2002 was $70,605.

10. With regard to reimbursement for contingent-owned equipment, the Advisory Committee was informed that the amount that had been reimbursed was $5,097,712; the estimated amount owed as at 31 March 2002, was $5,185,694; and unliquidated obligations for contingent-owned equipment amounted to $1,994,827. As regards death and disability, as at 31 March 2002, 11 claims have been settled amounting to $315,384; the balance of obligations amounts to $434,536 with one claim remaining.

11. The Advisory Committee was informed that, as at 1 April 2002, the cash position of MINURSO amounted to $24.7 million. Assessment on Member States amounted to $482.2 million, as at 31 March 2002, and payments received totalled $410.5 million. Total unliquidated obligations for the period from 1 July 2000 to 30 June 2001, as at 31 March 2002, were $1.2 million, and current loans, as at 30 April 2002, were $11 million from the United Nations Mission in Haiti (UNMIH) and $5 million from the United Nations Assistance Mission for Rwanda (UNAMIR). The Committee was informed that there were no claims under arbitration in respect of MINURSO.

12. The Advisory Committee was informed that the incumbency situation at MINURSO, as at 31 March 2002, was as follows:

Posts	*Authorized*	*Encumbered*
Military contingents	27	27
Military observers	203	192
Civilian police	81	25
International staff	300	174
Local staff	113	110
Organization of African Unity observers	10	4

Cost estimates for the period from 1 July 2001 to 30 June 2002

13. As indicated in the report of the Secretary-General (A/56/826, para. 9), the proposed budget for MINURSO for 2002/2003, which amounts to $41,529,500 gross ($38,488,500 net), is based on the Mission's maintenance requirements. The proposed budget represents a 15 per cent decrease ($7,320,100) in gross terms in relation to the apportionment for the current period ending 30 June 2002. Voluntary contributions for the period are estimated at $6,099,700. The proposed overall decrease reflects a 7.3 per cent decrease in military personnel costs, a 21.4 per cent decrease in civilian personnel costs, a 7.9 per cent decrease in operational costs, a 13.7 per cent decrease in staff assessment and a 71.8 per cent increase under other programmes.

14. No changes are proposed to the personnel composition of the Mission, compared to the current financial period, which provides for 203 military observers, 27 military contingents, 81 civilian police, 300 international staff, 113 local staff and 10 Organization of African Unity (OAU) observers. The Advisory Committee was informed, upon enquiry, that the table entitled "Current and proposed staffing" in chapter VIII of the report erroneously indicated the number of posts in the Professional category and above at 109, instead of 110 and the grand total at 422, instead of 423. The reason for the error was that the post of the Assistant Secretary-General was inadvertently omitted.

15. The Advisory Committee was also informed that, although the estimates for international staff are based on a zero vacancy factor, the cost of 116 posts out of 162 posts of the Identification Commission (excluding 10 OAU observers) was not included in the proposed budget for MINURSO. The Committee notes from the report (A/56/826, para. 18) that, should the activities of the Identification Commission be resumed on a full-scale basis, the Controller will revert to the General Assembly to request the related additional resources. In this connection, the Committee refers to its observation in paragraph 3 above.

16. The Advisory Committee was informed that the proposed budget takes into account reduction in mission subsistence allowance (MSA) rates for MINURSO from $60 to $50 per day. This resulted in a reduction in MSA requirements of $766,400 for military personnel and $3,181,500 for civilian personnel in comparison with the apportionment for the financial period 2001/2002.

17. The Advisory Committee observes from the report (ibid., para. 19) that an attempt has been made to adhere to General Assembly resolution 55/220 C of 14 June 2001, wherein the Secretary-General was requested to ensure the use of objective-setting by the administrations of peacekeeping missions. **The Advisory Committee is of the view that the administration of MINURSO should refine its approach to objective-setting requirements with a view, in particular, to providing specific and measurable indicators of achievement.**

18. The actions to be taken by the General Assembly in connection with the financing of MINURSO for the period from 1 July 2002 to 30 June 2003 are set out in the proposed budget (ibid., para. 3). **The Advisory Committee recommends that the amount of $41,529,500 gross ($38,488,500 net) be approved for the maintenance of MINURSO for the 12-month period from 1 July 2002 to 30 June 2003 and that the amount be assessed at a monthly rate of $3,460,792 gross ($3,207,375 net) should the Security Council decide to extend the mandate of MINURSO beyond 31 July 2002.**

United Nations A/56/947

General Assembly

Distr.: General
17 May 2002

Original: English

Fifty-sixth session
Agenda item 136
Financing of the United Nations Transitional Administration in East Timor

Transitional financing arrangements for the United Nations Transitional Administration in East Timor and the United Nations Mission of Support in East Timor for the period from 1 July 2001 to 30 June 2002

Note by the Secretary-General*

1. The General Assembly, in resolution 56/249 of 24 December 2001, appropriated the amount of $455 million for the operation of the United Nations Transitional Administration in East Timor (UNTAET) for the period from 1 July 2001 to 30 June 2002, in addition to provisions totalling $21,806,861 for the support account for peacekeeping operations and the United Nations Logistics Base at Brindisi, Italy, which were fully apportioned. The Assembly did not apportion the full amount of $455 million among Member States. By the same resolution, the Assembly decided to apportion the amount of $402 million, of which the amount of $120 million for the period from 1 January to 30 June 2002 was subject to a decision by the Security Council to extend the mandate of UNTAET beyond 31 January 2002. The balance of the appropriation in the amount of $53 million was not apportioned.

2. In terms of financing arrangements for UNTAET, the amount of $374,903,225 has been assessed on Member States, under the terms of Assembly resolutions 55/228 B of 14 June 2001 and 56/249, and the amount of $11,542,898 has been set off against the apportionment among Member States, in accordance with the provisions of Assembly resolution 973 (X) of 15 December 1955 in respect of their respective share in the Tax Equalization Fund of the estimated staff assessment income.

* The document was submitted late to the conference services without the explanation required under paragraph 8 of General Assembly resolution 53/208 B, by which the Assembly decided that, if a report is submitted late, the reason should be included in a footnote to the document.

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3. The Security Council, by its resolution 1392 (2002) of 31 January 2002, extended the mandate of UNTAET until 20 May 2002, the date of independence of East Timor.

4. By its resolution 1410 (2002) of 17 May 2002, the Security Council established the United Nations Mission of Support in East Timor (UNMISET) as of 20 May 2002 for an initial period of 12 months. A budget for UNMISET had been prepared (A/56/932) in anticipation of the mandate that the Council has just approved (ibid., para. 1). The budget covers the period from 1 July 2002 to 30 June 2003.

5. Transitional financing arrangements will be required for the period from 21 May to 30 June 2002. Based on the current status of expenditure for UNTAET, expenditures for the period from 1 July 2001 to 20 May 2002 and for the transitional period until 30 June 2002 are estimated at $454,400,000 and would thus fall within the amount appropriated for UNTAET for the period from 1 July 2001 to 30 June 2002. The related staff assessment income would amount to $12,580,400.

6. **The General Assembly is therefore requested to decide:**

(a) **That the expenditure for the period from 21 May to 30 June 2002 will be met from the amount of $455 million appropriated for UNTAET for the period from 1 July 2001 to 30 June 2002;**

(b) **To apportion among Member States the amount of $80,096,775, that sum being the balance of the appropriation that has not yet been apportioned ($53,000,000) and the balance of the amount earlier apportioned subject to extension of the mandate of UNTAET but not assessed ($27,096,775);**

(c) **In accordance with the provisions of its resolution 973 (X), to set off against the apportionment among Member States their respective share in the Tax Equalization Fund of the estimated staff assessment income of $1,037,502, representing the estimated staff assessment income that has not been set off in respect of the amount assessed so far.**

United Nations A/56/948

General Assembly

Distr.: General
17 May 2002

Original: English

Fifty-sixth session
Agenda item 138
Financing of the United Nations Angola Verification Mission and the United Nations Observer Mission in Angola

Financing of the United Nations Observer Mission in Angola*

Report of the Advisory Committee on Administrative and Budgetary Questions

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General on the final disposition of the assets of the United Nations Observer Mission in Angola (MONUA) (A/56/900). During its consideration of the report, the Committee met with representatives of the Secretary-General who provided additional information.

2. The report of the Secretary-General (A/56/900) was submitted pursuant to section VII of General Assembly resolution 49/233 A of 23 December 1994, in which the Assembly endorsed the proposals of the Secretary-General on the disposition of the assets of peacekeeping operations. According to the Secretary-General, the inventory value of the assets of MONUA as at 20 June 2000 amounted to some $89,313 million. This included assets transferred to other missions and to the United Nations Logistics Base at Brindisi, Italy, for temporary storage, with an inventory value of $29,052,100 (or 33 per cent of the total asset value); assets sold to other organizations or within the mission area, with an inventory value of $31,652,400 (or 35 per cent of the total asset value); assets donated, pending the approval of the Assembly, with an inventory value of $235,800 (or less than 1 per cent of the total asset value); assets written off, with a total inventory value of $27,599,200 (or 31 per cent of the total assets value); and assets stolen during the course of the mission, with an inventory value of $773,500 (or less than 1 per cent of the total asset value).

* The report on the final disposition of assets of MONUA was considered by the Advisory Committee on 16 May 2002. The Advisory Committee's draft report was approved by it on 17 May 2002 and sent for processing on that date.

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3. The Advisory Committee requested information on the status of settlement of assets, which should be provided to the Fifth Committee.

4. The actions to be taken by the General Assembly in connection with the financing of MONUA is indicated in paragraph 8 of the report of the Secretary-General (A/56/900). **The Advisory Committee recommends approval of the Secretary-General's requests as stated therein.**

United Nations A/56/949

General Assembly

Distr.: General
17 May 2002

Original: English

Fifty-sixth session
Agenda item 147
Financing of the United Nations Operation in Somalia II

Final performance report of the United Nations Operation in Somalia II

Report of the Advisory Committee on Administrative and Budgetary Questions*

1. The Advisory Committee on Administrative and Budgetary Questions has considered the final performance report of the United Nations Operation in Somalia II (UNOSOM) (A/56/915). During its consideration of the report, the Committee was provided with additional information.

2. UNOSOM was established by the Security Council in its resolution 751 (1992) of 24 April 1992 for an initial period of six months. The mandate of the mission was extended in subsequent Security Council resolutions, the last of which, resolution 954 (1994) of 4 November 1994, extended the mandate of the Operation for a final period until 31 March 1995.

3. The Advisory Committee notes from paragraph 5 of the report of the Secretary-General that full reimbursement of troop costs have been made.

4. The Advisory Committee also notes from table 2 of the report of the Secretary-General that requirements for contingent-owned equipment and consumable supplies are estimated at $122,942,100, payments made to troop-contributing countries, as at 31 December 2001, amounted to $107,371,300, the cost of equipment lost is estimated at $12,008,300 and the amount due is $27,579,100.

5. As indicated in paragraph 8 of the Secretary-General's report, a total of $1,804,404,500 gross ($1,785,763,000 net) was appropriated by the General Assembly for the operation of UNOSOM. Expenditure amounted to $1,699,383,700 gross ($1,686,417,200 net), credits applied to Member States amounted to

* The final performance report for UNOSOM II was considered by the Advisory Committee on 15 May 2002. The Advisory Committee's draft report was approved by it on 17 May 2002 and sent for processing on that date.

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$150,130,800 gross ($143,666,400 net), leaving an unencumbered balance of appropriations amounting to $40,940,700 gross ($39,990,400 net).

6. The Advisory Committee notes from paragraph 10 and table 4 of the report of the Secretary-General that while the amounts recorded in accounts payable is $11,400,000, funds required to settle outstanding claims total $31,016,000, thus leaving a shortfall of $19,616,000.

7. The Advisory Committee also notes from table 5 of the report that, as at 31 December 2001, the cash position of UNOSOM showed an operating deficit of $27,261,000. From table 6 of the report, the Committee notes that assessment on Member States amounted to $1,645,932,106, payments received totalled $1,584,498,878 and the amount outstanding was $61,433,228.

8. As indicated in table 7 of the report of the Secretary-General, other income, as at 31 December 2001, consisted of transfer from other funds ($103,000), interest income ($8,403,409) and miscellaneous income ($6,712,616).

9. During its consideration of the report of the Secretary-General, the Advisory Committee was provided with updated information on the financial position of the Mission, which indicated that payments received in 2002 totalled $574,283 and the Mission has an operating deficit of $26,686,717.

10. The Advisory Committee notes from paragraph 11 of the report of the Secretary-General that, while there is no need to appropriate additional resources for UNOSOM II, payment of outstanding claims cannot be effected owing to the shortage of cash in the UNOSOM II special account, resulting from the high level of unpaid assessed contributions. In view of the cash shortage, the concurrence of the General Assembly is sought to suspend the provisions of financial regulations 4.3, 4.4 and 5.2 (d) in respect of the remaining surplus of $21,324,700 gross ($20,374,400 net).

11. The actions to be taken by the General Assembly in connection with the financing of UNOSOM are indicated in paragraph 1 of the report of the Secretary-General. **The Advisory Committee recommends acceptance of the proposals of the Secretary-General.**

United Nations A/56/950

General Assembly

Distr.: General
20 May 2002
English
Original: French

Fifty-sixth session
Agenda item 164
Establishment of the International Criminal Court

Letter dated 16 May 2002 from the Permanent Representative of Spain to the United Nations addressed to the Secretary-General

I have the honour to bring to your attention a statement issued on 14 May 2002 by the European Union concerning the position of the United States towards the International Criminal Court (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as a General Assembly document, under agenda item 164.

(*Signed*) Inocencio F. **Arias**
Permanent Representative of Spain
to the United Nations

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Annex to the letter dated 16 May 2002 from the Permanent Representative of Spain to the United Nations addressed to the Secretary-General

[Original: English, French and Spanish]

Statement on the position of the United States towards the International Criminal Court issued on 14 May 2002 by the European Union

1. The European Union takes note with disappointment and regret of the decision by the United States on 6 May 2002 formally to announce that it does not intend to ratify the Rome Statute of the International Criminal Court (ICC) and that it considers itself released from any legal obligation arising from its signature of the Statute on 31 December 2000.

2. While respecting the sovereign rights of the United States, the European Union notes that this unilateral action may have undesirable consequences on multilateral treaty-making and generally on the rule of law in international relations.

3. The European Union restates its belief that the anxieties expressed by the United States with regard to the future activities of ICC are unfounded and that the Rome Statute provides all necessary safeguards against the misuse of the Court for politically motivated purposes. It is confident that this will become self-evident when the Court begins its work. The European Union is disappointed that the United States has felt obliged to act as it has without the benefit of actual experience of the Court's activities. It believes that such experience will show that the United States can associate itself fully with the Court.

4. The European Union is also concerned at the potentially negative effect that this particular action by the United States may have on the development and reinforcement of recent trends towards individual accountability for the most serious crimes of concern to the international community and to which the United States shows itself strongly committed.

5. For its part, the European Union reaffirms its determination to encourage the widest possible international support for ICC through ratification or accession to the Rome Statute and its commitment to supporting the early establishment of ICC as a valuable instrument of the world community to combat impunity for the most serious international crimes.

6. The European Union expresses the hope that the United States will continue to work together with friends and partners in developing effective and impartial international criminal justice and will not close the door to any kind of cooperation with ICC, which is going to be a reality in the near future. The European Union stands ready for such a dialogue.

The Central and Eastern European countries associated with the European Union, the associated countries Cyprus and Malta, and the EFTA country Norway, member of the European Economic Area, align themselves with this statement.

United Nations A/56/951

General Assembly

Distr.: General
20 May 2002
English
Original: French

Fifty-sixth session
Agenda item 119 (b)
Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Letter dated 15 May 2002 from the Permanent Representative of Spain to the United Nations addressed to the Secretary-General

I have the honour to bring to your attention a statement issued on 8 May 2002 by the Presidency of the European Union on behalf of the European Union concerning the release of Aung San Suu Kyi (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as a General Assembly document, under agenda item 119 (b).

(*Signed*) Inocencio F. **Arias**
Permanent Representative of Spain to the United Nations

02-39035 (E) 210502 210502

Annex to the letter dated 15 May 2002 from the Permanent Representative of Spain to the United Nations addressed to the Secretary-General

[Original: English, French and Spanish]

Statement on the release of Aung San Suu Kyi, issued on 8 May 2002 by the Presidency of the European Union on behalf of the European Union

The European Union welcomes the unconditional release of Daw Aung San Suu Kyi from house arrest and expresses its satisfaction to the Burmese authorities on this important step. The European Union is encouraged to learn that the State Peace and Development Council considers 6 May 2002 as "opening a new page for the people of Myanmar". The European Union hopes that this new beginning will lead to a substantive dialogue between the parties concerned, bringing about a genuine process of democratization in the country. The European Union commends the United Nations Secretary-General's Special Envoy, Razali Ismail, for his good offices.

The European Union will continue to follow developments closely and remains prepared to review and adapt its position as soon as substantive progress in the democratization process warrants it.

The Central and Eastern European countries associated with the European Union, the associated countries Cyprus, Malta and Turkey, and the EFTA countries members of the European Economic Area align themselves with this declaration.